

**DR. RAJENDRA PRASAD:
CORRESPONDENCE AND SELECT DOCUMENTS**



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VALMIKI CHOUDHARY



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PREFACE

I have great pleasure to present the eleventh volume of *Dr. Rajendra Prasad: Correspondence and Select Documents*. The volume includes letters, documents and notes pertaining to the year 1949. This year witnessed the setting of the sun of British imperialism upon this country. Although on 15 August 1947 the British power had withdrawn from India handing over power to a National Government, the Constitution of independent India as a Republic was finally passed by the Constituent Assembly in this year, and, with effect from 26 January 1950, India became a "Sovereign Democratic Republic".

The Constituent Assembly functioned from 9 December 1946 to 24 January 1950 in the Central Hall of Parliament House, and it is in this Hall that the President of India addresses the joint sittings of both Houses of Parliament. The chair, which was specially designed for the President of the Constituent Assembly, is now an exhibit of historical importance.

The Constituent Assembly when it began to function was saddled with a number of difficulties, including the controversy over the representation of the Muslims, and the problem concerning the then rulers of the Princely States. Under these circumstances, Dr. Rajendra Prasad was elected the President of the Constituent Assembly. Now, the question arises, why was Dr. Rajendra Prasad chosen for this august office? A perusal of the letters and notes written by him as also by other national leaders, which have been included in this volume, will provide an answer to this question. Whenever the national leadership faced a difficult situation, they found that Dr. Rajendra Prasad was endowed with the rare ability to handle a situation deftly, however intractable it may be, because on the one hand he was a legal luminary, and on the other he commanded great respect from all. Besides, the great responsibility of shaping and formulating a Constitution which can stand the test of time, could only be entrusted to a person like Dr. Rajendra Prasad, who, with his qualities of head and heart, was found to be eminently suitable for the office. During the period Dr. Rajendra Prasad was President of the Constituent Assembly, he gave a number of rulings which are of historical and national importance. These are a special feature of this volume.

Dr. Rajendra Prasad had the pervading influence and capability not only to guide the august House but also to win everyone over. Dr. S. Radhakrishnan and Sir Gopalaswami Ayyangar, both members of the Constituent Assembly, have expressed their appreciation of Dr. Rajendra Prasad on the occasion of his election as the President of the Constituent Assembly in glowing terms.

In his speech Dr. Radhakrishnan said:

The Mahabharata says:

*Mrduna darunam hanti, mrduna hanti adarunam
nasadhyam mrduna kinchit tasmāt tiksnataram hi mrduth.*

(Gentleness can overcome the hardest things; it can overcome the softest things. There is nothing impossible to be overcome by gentleness, and therefore the sharpest weapon we have is gentleness.)

Softness, gentleness—that is the greatest weapon which will wear out the highest kind of opposition. We have not been true to it. We have betrayed and done wrong to millions of our own fellow beings. It is now time for us to make atonement for all our past guilt. It is not a question of justice or charity, it is atonement—that is how I would put it.

In Dr. Rajendra Prasad we have one who embodies this spirit of gentleness. (*Cheers.*) He is the soul of goodness, he has great patience and courage, he has suffered. It is not an accident that this year which marks the sixtieth year of the Indian National Congress, is also the year of the opening of the Constituent Assembly. We have to remember with gratitude all those great souls who worked and suffered for the freedom of this country, for the dawn of this day. Thousands died, more thousands suffered privation, imprisonment, and exile, and it is their suffering that has cemented and built up this great edifice of the Indian National Congress. (*Hear, hear.*) We have to remember them all. Rajendra Prasad is the suffering servant of India, of the Congress, who incarnates the spirit for which this country stands. I only hope that this spirit of amity, concord and harmony, which has come down to us from the image of Siva in the Indus civilisation down to Mahatma Gandhi and Dr. Rajendra Prasad, will inspire our efforts.

Sir N. Gopalaswami Ayyangar eulogised Dr. Rajendra Prasad in the following words:

Mr. Chairman, I desire to add my small tribute to Dr. Rajendra Prasad who has been elected unanimously by this Assembly as the permanent Chairman. My tribute, I dare say, will sound prosaic after the eloquence of my friend Sir S. Radhakrishnan, one of the foremost Indian orators in the English language.

Dr. Rajendra Prasad's election is a supreme mark of the unstinted confidence that this Assembly and the country as a whole repose in him. It is not so much an honour to him; he is really honouring us by accepting the invitation that we have extended to him. (*Cheers.*) We have therefore really to felicitate ourselves on his allowing himself to be persuaded to take the Chair of this Assembly as permanent Chairman.

Dr. Rajendra Prasad is taking over a very onerous responsibility. His life has been a life of dedication,—dedication to the service of the country. It has been consecrated by unique sacrifice. It is unnecessary for me to speak

of his great crudition, deep scholarship, wide knowledge of men and affairs,—qualities which fit him eminently for the task in which he will have need for requisitioning all this equipment in the solution of the many baffling and intricate problems that are sure to confront him. I have known him in person and have come into contact with him personally only during the last few days. That has made me regret that I had not known him earlier and more intimately than I do. But I have known about him, I had read about him, and during the few days that I have since seen of him, I have seen enough to realise that, while all his great qualities of brain and his knowledge have commanded and will continue to command the respect and admiration of his countrymen, what really has established and will maintain the unique hold he has on the affections of his countrymen, irrespective of community, class and creed, are his great human qualities. His innate courtesy, for instance, the manner of his approach to problems, which manner almost compellingly disarms in controversy people inclined to develop temper or heat, the soft word that turneth away wrath—these will be inestimable assets in contributing to the success of the task that he has so willingly, perhaps after some reluctance, taken upon himself.

With his election to the Chairmanship, the Constituent Assembly may be said to have really started on its fateful career. Before it accomplishes its full task, it is bound to be confronted by situations and difficulties which will try the capacity even of so uniquely equipped a person as Dr. Rajendra Prasad. He will no doubt, and we have every confidence that he will, conquer them all. He will of course maintain the dignity and prestige of this Assembly and the privileges of its members—that goes without saying.

Dr. Rajendra Prasad's election as the President of the Constituent Assembly was of greater significance than his election, subsequently, as the first President of India. On being elected as the President of the Constituent Assembly, Dr. Rajendra Prasad expressed his feelings in the following words: "If I say that I feel overwhelmed with the burden you have placed on my shoulders by entrusting me with this most important duty, by electing me for this high rank, you have bestowed upon me an honour which is the highest honour for an Indian."

During his Presidentship of the Constituent Assembly, Dr. Rajendra Prasad offered to resign from that august office, mostly on health ground, and the last time he did so was in 1949. Earlier, on the intervention of Jawaharlal Nehru, Gandhiji dissuaded him from resigning. Because of his total faith in Gandhiji's wisdom, he did not press the matter further. Towards the end of 1948, Rajendra Prasad was not keeping good health. Therefore, he felt that it was not fair for him to continue as President of the Constituent Assembly and expressed his desire to be relieved of his office. Jawaharlal Nehru was not averse to Rajendra Babu's wish. Nehru even selected Rajendra Babu's successor as is evident from his letter dated 19 November 1948 to Sardar Patel. The top Adviser of the Constituent Assembly, Sir B.N. Rau, was however reluctant to lose Dr. Rajendra Prasad as

may be seen from his letter to Dr. Prasad dated 4 January 1949.

Dr. Rajendra Prasad kept up the dignity of the Constituent Assembly as a sovereign body and did not allow any interference from any quarter in the functioning of the Assembly. The following episode will illustrate the point. There arose an occasion in 1949 when the Cabinet Secretariat summoned the Constituent Assembly (Legislative) for transacting legislative business. Dr. Prasad protested and wrote the following note to the Cabinet Secretary:

Pilani (Rajasthan Union)

23rd September 1949

My dear Iengar,

May I draw your attention to an announcement purporting to have been issued by the Cabinet Secretariat which has been published in *The Statesman* which has reached me here this morning? It is to the effect: "The Government with the approval of the Speaker have decided to call an emergent session of the Constituent Assembly (Legislative) on Wednesday, October 5, to consider the question of devaluation of the rupee and important consequences following from it. The Assembly will meet at 11 a.m. on that date." Under the Constitution neither the Government nor the Speaker nor both jointly are entitled to call a meeting of the C.A. (Legislative). The C.A. (Legislative) is summoned and prorogued under the orders of the President of the Constituent Assembly under the Constitution as it stands. So far as the meeting of the fifth is concerned, I was approached by the Deputy Secretary of the C.A. (Legislative) with a request that I should approve the calling of the meeting on the 5th for purposes mentioned in the announcement and I gave the necessary approval. So in actual fact the meeting has been convened strictly in terms of the Constitution but the announcement of the Cabinet Secretariat is not correct in terms of the Constitution. The mistake is possibly due to the ignorance of the real constitutional position. Although it has made no practical difference in the present case, it is desirable that the law and the constitution should be strictly adhered to both in spirit and letter and the announcement seems to me to offend against constitutional propriety.

Yours sincerely,
Rajendra Prasad

The Cabinet Secretary sent a letter of apology:

New Delhi
28th September 1949

Dear Dr. Rajendra Prasadji,

My attention has been drawn by H.V.R. Iengar to the announcement on

behalf of the Cabinet Secretariat regarding the calling of an emergent session of the Constituent Assembly (Legislative) on Wednesday, 5th October, to consider the question of devaluation of the rupee and important consequences following from it and to the fact that the announcement offends against constitutional propriety inasmuch as a meeting of the Constituent Assembly whether legislative or constitution-making can be called only with the permission of the President of the Constituent Assembly and not otherwise. I hasten to apologise for the mistake which was entirely due to ignorance on my part of the real constitutional position. The Cabinet decision to convene a session of the Constituent Assembly (Legislative) was arrived at in the evening and my instructions were to announce that such a session would be held after obtaining the approval of the Speaker. Not knowing the constitutional position properly, I thought that the concurrence of the Speaker was sufficient for the purpose and that after obtaining his concurrence I could make the announcement. I do hope you would kindly accept the above explanation.

With my personal regards,

Yours sincerely,
Dharma Vira

In reply Dr. Rajendra Prasad wrote to the Cabinet Secretary:

1 Queen Victoria Road
New Delhi
5 October 1949

My dear Shri Dharma Vira,

This is to thank you for your letter No. 170/CF/49 dated 28th September 1949. When I came to know from the Press that an announcement had been made regarding the holding of the sitting of the Constituent Assembly (Legislative), I did realise that it was by mistake and so I wrote to Iengar to contact you so that you may regularise it. There is nothing to worry about it.

Yours sincerely,
Rajendra Prasad

Dr. Rajendra Prasad maintained that the Election Commission should be kept separate from and independent of the party in power. This will be clear from his letter of 19 February 1949 to the Prime Minister, Pandit Jawaharlal Nehru (see page 37 of the present volume).

The wisdom and foresight of Dr. Rajendra Prasad can be gauged from his suggestion in the form of a letter dated 25 March 1949, addressed to the then Minister for Railways and Transport, Sir Gopalaswami Ayyangar, appearing on page 47 of this volume. The letter suggested that construction of a road bridge on

the Ganga in Patna costing three or four crores of rupees be taken up in hand at that time. The suggestion was ignored but the construction thereof in 1980 cost the exchequer twenty times more, apart from the hardships faced by the public for a period of over 20 years.

As regards the date on which the Constitution should come into force, Pandit Jawaharlal Nehru's view was that it should be after the elections were over (letter No. 91, dated 24th May 1949). In reply, Dr. Prasad expressed the view that it should come into effect before the General Elections and immediately after the passing of the Constitution (letter No. 108, dated 3rd June 1949).

From the same letter and the reply thereto, one can find the viewpoints of the two leaders in connection with the Hindi version of the Constitution at that time.

This volume also contains sensitive and interesting correspondence between the topmost leaders of the country at the time, namely, Sardar Vallabhbhai Patel, Jawaharlal Nehru, C. Rajagopalachari and Dr. Rajendra Prasad, regarding the election of the provisional President of India (see letters Nos. 114, 118, 175 to 179, 181, 206, 209 and 213). The correspondence also shows the amiable manner in which the differences of opinion among the leaders were settled with dignity and decorum.

The task of framing the Constitution was over on 24 January 1950. On that momentous day, Dr. Rajendra Prasad addressed the Constituent Assembly in the following words:

I recognise the solemnity of this occasion. We have after a long struggle reached one stage, and now another stage begins. It has been your kindness to place on me a very heavy responsibility. I have always held that the time for congratulation is not when a man is appointed to an office, but when he retires, and I would like to wait until the moment comes when I have to lay down the office which you have conferred on me to see whether I have deserved the confidence and the goodwill which have been showered on me from all sides and by all friends alike. When I sit listening to laudatory speeches,—and although I have tried to cut that down to some extent, here also I have had to submit to it to a certain extent,—I am reminded of a story in the Maha Bharat, which is so full of piquant situations, and the solution that was found by Shree Krishna, who solved all those difficult and apparently insoluble problems which arose, was this. One of those days, Arjuna took a vow that he would perform a certain thing before the sun set on that day and that if he did not succeed, he would burn himself on a pyre. He, unfortunately, did not succeed. And then the problem arose as to what was to be done. In fulfilment of that vow, he would have to burn himself. This, of course, was unthinkable so far as the Pandavas were concerned. But Arjuna was adamant in his resolve. Shree Krishna solved this problem by saying, “if you sit and praise yourself or listen to praise by others, that would be equivalent to committing suicide and burning yourself; so you had better submit to that and your vow will be fulfilled.” Very often I have

listened to such speeches in that spirit. Because, I have felt that there are many things which I am not able to fulfil, which I am not able to accomplish, and the only way in which I can fulfil these things is to commit that kind of suicide. But, here, I am in a somewhat different situation. When our Prime Minister and our Deputy Prime Minister speak with emotion about me, I cannot but reciprocate that kind of emotion. We have lived and worked together for more than quarter of a century and in the closest association we have fought. We have never faltered; we have jointly succeeded also. And now that I am placed in one chair and they are occupying other chairs side by side, and there are other friends whose association I value equally well who will be sitting by their side to help and assist me and when I know that I have the goodwill of all the members of this House and of a very large circle of friends outside this House, I feel confident that the duties which have been imposed upon me will be discharged to their satisfaction: not because I can do that, but because the joint efforts of all will enable the duties to be so performed.

The country today is facing very many problems and my feeling is that the kind of work which we have now to do is different from that which we used to do two years ago. It requires greater devotion, greater care, greater application and greater sacrifice. I can only hope that the country will throw up men and women who will be able to take up the burden and fulfil the highest aspirations of our people. May God give us strength to do that.

While compiling this volume and going through the contents of the letters, it struck me that these are not only important, but also interesting. The letters constitute a wealth of material for historians and for students of political science. I shall be obliged if those who persue the volumes send me their impressions about them. This will greatly encourage me.

I wish to place on record my thanks to Dr. Hari Dev Sharma and Shri M.L. Dwivedi for their advice and to the National Archives of India for their help in verifying the records.

The arrangement of the correspondence and other documents in the volume follows the pattern of the preceding volumes. Correspondence—Part I includes letters written by or written to Dr. Rajendra Prasad, while Correspondence—Part II contains letters exchanged between others; copies of which were sent to him for information, advice and action. Other miscellaneous documents of contemporary importance have been given in the Appendices.

VALMIKI CHOUDHARY

9 November 1988

Dipawali

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CORRESPONDENCE

PART I

1. *From Sir B.N. Rau*

CONSTITUENT ASSEMBLY

4 January 1949

My dear Dr. Rajendra Prasad,

I was sorry to hear from Chakradhar yesterday that you had a relapse after I left Wardha and that you were feeling very unhappy at your inability to resume work. I am most anxious that you should not worry on this account: the major portion of the Constitution still remains to be passed and as the hot weather here suits you, I have no doubt that you will be in your place to see the work through. You started the work and it is only right that you should, if possible, be present at its close; for myself, I feel certain that it *is* possible. Please, therefore, do not think of resigning at this stage.

The session is due to close on the 8th January, so that there are only a few more days left and the Vice-President will be able to manage.

I hope 1949 will prove a happier year for us all than 1948 and that it will bring you in particular better health and more peace of mind.

With kindest regards and all good wishes,

Yours sincerely,
B.N. Rau
Constitutional Adviser

2. *To Dr. Syama Prasad Mookerjee*

Bajajwadi, Wardha
4 January 1949

My dear Dr. Syama Prasad,

The Committee I had appointed in connection with evolving a standard in the Hindi typewriters and allied matters has now practically completed the matters so far as the typewriter is concerned and I am expecting its report at an early date. I understand that the Committee will recommend a special keyboard which will be different from any existing keyboard and will be found to be more convenient and capable of giving a higher speed. The Committee's report will be taken accepting the recommendation. As the Government is going to be the biggest consumer of the new type of typewriters, I should like the Government to come to an early decision so that manufacturers might start manufacturing the typewriters with the proposed keyboard. Two questions have arisen which require consideration and also assistance from your Department. The new keyboard can with some alterations and additions be fitted to an existing typewriter and it would be possible to convert the existing ones at a reasonable cost. But before the

keyboard is finally adopted by the Government, it is necessary to submit it to a practical test to see whether the expectations formed of it are fulfilled and for this purpose about half a dozen typewriters with the keyboard have to be prepared. This can easily be done in any factory which is handling typewriters either for assembling purposes or for repairs and the Committee could get that done but it fears that by asking any private manufacturer to convert an existing typewriter advantage would be gained by the particular manufacturer as he will be in possession of the new keyboard long before any other manufacturer knows anything about it and keep himself in readiness to produce the new typewriter as soon as the Government adopts recommendations of the Committee. This will be unfair to other manufacturers and may also have the effect of creating monopoly, at any rate for some time, in favour of a particular manufacturer. So it has been suggested to me that it will be best to keep this work of getting about half a dozen machines converted in some Government factory which will be considered suitable for handling this kind of work. If there is no such factory under your Department, perhaps the Defence Department might have. I should like to know if you could get this done either in your Department or in the Defence Department.

It has also been suggested that the Government should get the particular keyboard patented before publishing it so that no manufacturer could manufacture it without Government's permission. This would prevent undue advantage being taken by any particular manufacturer and if the Government feel inclined, it might also encourage Indian manufacturers. In the second place the Government should also charge a certain royalty. This royalty is not intended to bring revenue to the Government for general purposes but research in this connection and allied matters like Hindi teleprinters etc.

Kaka Kalelkar, the Chairman of the Committee, might see you when he goes to Delhi within the next week or so. But in the meantime I shall be obliged if you could make necessary enquiries so that early action may be taken.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
Minister for Industry & Supply
Government of India, New Delhi.

3. From Dr. H.C. Mookerjee

Council House
New Delhi
January 5, 1949

My dear Dr. Rajendra Prasad,

Many thanks for your letter of the 3rd January 1949. It is very distressing to

hear that you have had a relapse but I hope that the fever has left you by this time and that you are recouping steadily.

I read out relevant extracts from your letter to the House this morning and the House has authorised me to convey to you that it is their hope and wish that you will not only recover soon but recover fully so that you will be in a position to conduct the proceedings of the House in May next when it reassembles again.

With my own wishes and prayers for a speedy return to normal health,

Yours sincerely,
H.C. Mookerjee

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
Bajajwadi, Wardha (via Nagpur).

4. From Vallabhbhai Patel

6 January 1949

My dear Rajenbabu,

Chakradhar was here the other day and saw me. I am very sorry to find that the improvement in the condition of your health is not as satisfactory as we had expected. Wardha does not seem to have done you much good. It would have been better if you had gone to Pilani instead. I had been there and found the climate very healthy and salubrious. I would even now advise you to go there. I feel that a prolonged period of rest there will do you a lot of good. I can also run down some weekends, and, as for medical advice, that would be available to you from Delhi as need arises.

You must have seen the list of Working Committee members. There was some difficulty about Jagjivan Ram and S.K. Patil, but I took a strong line and finally, in consultation with Jawaharlal, my view was accepted by the President. In place of Jagjivan Ram, Dr. Pattabhi [Sitaramayya] wanted to nominate Mr. Khandekar of C.P. on the ground that he was a Harijan and also came from the C.P. which was unrepresented. I told him that, apart from the fact that it would be contrary to your advice not to exclude Jagjivan Ram, the latter would be much more useful and helpful than Khandekar. It was originally intended to exclude [N.G.] Ranga, but I pointed out to Pattabhi that such exclusion was likely to be misunderstood and misrepresented.

Devadas [Gandhi] came and saw me today. He proposes to arrange for an exhibition of a few things of Bapu in a hut at Rajghat on 30 January. This would entail an expenditure of Rs.30,000 which is likely to be recovered from admission tickets which it is proposed to charge at 2 as. each. He would like to know if he

could do this with your authority and in anticipation of the approval of the Trustees. I think it would be covered by the objects of the Trust, and if you permit this to be done, I would inform Devadas to go ahead with it.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad
Wardha.

5. *To Dr. H.C. Mookerjee*

Bajajwadi, Wardha
7th January 1949

My dear Dr. Mookerjee,

Many thanks for your letter dated January 5. I am much better now and I have got over the recent trouble. I am free from temperature and cough has also practically subsided. I am sorry I could not come but I could not help it. You have carried the burden for which I am personally deeply grateful to you and I am also grateful to the House for the good wishes.

Yours sincerely,
Rajendra Prasad

Dr. H.C. Mookerjee
Vice-President, Constituent Assembly of India
Council House, New Delhi.

6. *To Sir B.N. Rau*

Bajajwadi, Wardha
7th January 1949

My dear Sir Narsingh Rau,

Many thanks for your letter dated the 4th instant.

It is true that I have been feeling very unhappy over my inability to attend the Assembly but there was no help. I had planned for coming to Delhi but all on a sudden I developed temperature and also severe cough which made it impossible

for me to undertake a journey. I am hoping that with the approach of the warm season I shall improve and will be able to attend the next session in May next.

Yours sincerely,
Rajendra Prasad

Sir B.N. Rau
Constitutional Adviser
Constituent Assembly of India
New Delhi.

7. From H.M. Patel

D.O.No. 14/S/49

New Delhi
January 7, 1949

My dear Dr. Rajendra Prasad,

Please refer to your letter of the 28th December 1948 to Sardar Baldev Singh, enclosing a statement of qualifications of one Mr. Kishanchand Rupchand Wadhvani, an emigrant from Sind. We have no vacant post of Entitlement Officers now, nor is a post likely to fall vacant in the near future. We have also considered the possibility of employing him in some other post but again there is no suitable vacancy. Mr. Wadhvani's statement is, however, being kept with the Joint Secretary concerned, so that, should something suitable turn up, his name may be considered.

Yours sincerely,
H.M. Patel

The Hon'ble Dr. Rajendra Prasad
Camp: Bajajwadi, Wardha.

8. To Vallabhbhai Patel

Bajajwadi, Wardha
8 January 1949

My dear Vallabhbhai,

Many thanks for your letter dated 6th instant.

I am thinking of coming to Delhi on the 30th and, as advised by you, to go to

Pilani from there. I am rather anxious about the appointment of the Trustees of the Gandhi National Memorial Fund. It seems at the last meeting a sub-committee consisting of five of us was appointed to finalise the names of the Trustees and I think it is necessary that I should come there and meet you all and finally fix up the names. It will also be possible for me to attend the functions which are being organised there on the 30th. I am now free from fever and cough and all other complaints and if I keep like this, I hope to recover strength between now and the 30th. By that time the rigour of the Delhi cold will also become less. But I do not propose to stay there in Delhi for any length of time and as soon as the immediate work of appointing the Trustees is finished I propose to leave.

I have just seen an appeal by the Sarvodaya Divas Samiti of Delhi for photographs and other things connected with Bapu for the exhibition which it is proposed to have at Rajghat on 30 January. I cannot understand why this should cost so much as Rs.30,000. They had a Gandhi Mandap at the Jaipur exhibition. The Jaipur exhibition, although very highly spoken of by everybody, was not successful at all from the financial point of view. With all the Congress enthusiasm about it they were not able to get more than Rs.27,000 as gate money. This is what Dhotre tells me. I doubt very much if a simple exhibition of photographs would bring so much as Rs.30,000. But apart from all this, I am afraid we cannot spend anything out of the Gandhi Memorial Fund except what is required in connection with the collection. On this ground I have not accepted a request for grant from the institutions at Sevagram. They are hard put to it to carry on but I felt that if I once started spending, there will be claims from so many institutions that it will not be possible for me to deal with them. When Trustees are appointed, their position will be different and they will be able to spend whatever they think necessary. But so long as they are not appointed, I do not feel like incurring any expenditure in anticipation of their sanction.

As you know, we had thought of closing the Fund on 30 January but I have been approached by some people that we should keep the Fund open for some time longer. Congressmen in particular want this as they feel that the Congress organisation has not been mobilised and what with floods and what with other calamities they have not been able to collect from the masses. From now to May it is supposed to be a good season for collection and they suggest that if the Fund is kept open for another 4 or 5 months, it would be helpful. Rajkumari Amrit Kaur wrote to me some months ago that the Fund should be closed and if people are not paying we should not keep the Fund open. Her feeling was strong and she felt that it was an insult to Bapu's memory to bring pressure on people for this Fund. I wrote to her that we had decided to keep it open [up] to 30 January. I would like to know what you and Jawaharlalji feel about it. I do not know if Congress people will show any greater enthusiasm after 30 January than they have done in the past. I have been trying to whip up enthusiasm amongst them, at least during this month. I am, therefore, not very keen on keeping the Fund open but in this matter I would like to be guided by you and Jawaharlalji. Will you

kindly consult him and let me know his as well as your own views in the matter? I am writing to him also separately.

With regards,

Yours sincerely,
Rajendra Prasad

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

9. *From Rev. J. D'Souza S.J.*

Cathedral House
Alexandra Place, New Delhi
8th January 1949

Dear Sir,

I have the honour to state that work connected with the educational institutions conducted by the Society of Jesus in South India necessitates for me a visit to Europe in the coming months. I shall be absent for about three months and hope to be back for the May session of the Constituent Assembly. I request you as President of the Assembly to permit me to absent myself from the country during these months, without prejudice to my membership of the Assembly.

A reply may be kindly addressed to Loyola College, Cathedral Post, Madras.

I have the honour to be,
Sir,
Your humble servant,
J. D'Souza

The President
Constituent Assembly of India.

10. *To H.M. Patel*

Bajajwadi, Wardha
9th January 1949

My dear Mr. Patel,

Many thanks for your D.O. No. 14/9/49 dated 7th instant.

I am sorry I have to trouble you about another matter connected with your

Department. I cannot do better than enclosing a letter which I have received from Dr. P.B. Mukerji. I have known Captain Mukerji for many years. He was in Government service in charge of the X-Ray Department of the Patna Medical College Hospital. As he says, he used to be helpful to us and he had ultimately to give up his job and settle down in Calcutta where he is, apart from his private practice, in charge of the X-Ray Department of the Chittaranjan Seva Sadan founded in memory of the late Deshbandhu C.R. Das. I do not think it necessary for me to add anything to what he has said and I would request you to have the matter looked into and do what you can. I am not writing to Sardar Baldev Singh as I have just received your letter and I feel that it would do equally well if I write to you.

Yours sincerely,
Rajendra Prasad

Shri H.M. Patel
Secretary, Ministry of Defence
Government of India
New Delhi.

Enclosure not included.

11. *From Dr. H.C. Mookerjee*

16 Windsor Place
New Delhi
January 10, 1949

My dear Dr. Rajendra Prasad,

You must have learnt by this time from newspaper reports that, as the result of the motion moved by Shri Satyanarayan Sinha, the Constituent Assembly, as directed by you, has been adjourned to the 16th May next. The time fixed for the meeting is 10 a.m. which I hope will meet with your approval.

In spite of many lapses on my part, the House has been very considerate as a result of which its business has, on the whole, gone on smoothly. I am convinced that this is mainly due to its love and respect for you and its desire that, in your absence, it should do all it can to help me to conduct business as quickly as possible.

Your Personal Assistant was good enough to call on me on the evening of Saturday the 8th and informed me about the state of your health. I infer from what I heard from him that you are worried over your absence. I wish to assure you on behalf of the members as well as of myself that we fully realise the very good reasons for it and that we are all eagerly looking forward to the time when

with the coming of summer you will regain your normal health and be with us again.

So far as I am concerned, I need hardly add that you will always find me more than willing to do what little I can to assist you in your very taxing and responsible work.

My wife and I are now settled in the above address and shall stay on till the end of the Budget session.

With best regards,

Yours sincerely,
H.C. Mookerjee

The Hon'ble Dr. Rajendra Prasad
Bajajwadi, Wardha, C.P.

12. *From Ram Subhag Singh*

School of Journalism
University of Missouri
Columbia
January 10, 1949

Respected Babu Rajendra Prasadji,

As a graduate student of journalism at the University of Missouri, Columbia, Missouri, U.S.A., I have been trying to analyse for the past two years the different aspects of American journalism that could best suit the Indian interests. With this end in view, I am making a special study of American regional farm publications and am writing my doctor's dissertation on the same.

In contrast to India, where three-fourths of the population depends on land for its livelihood, only a fourth of the United States' 140 million population is agricultural. The Department of Agriculture of the United States Federal Government is noted for its efficiency. Its varied and valuable publications reach farmers in great number. Yet, there are more than 430 unofficial farm papers in this country, and one or another of them reaches to practically every American farm home.

Government of India's efforts directed toward harnessing the great waterwealth, reclamation of the culturable wasteland through its Central Tractor Organisation, etc., are indeed laudable. Its farm publications, too, occupy a very high place. But on the unofficial side there is a total dearth of any farm publication in India.

A chapter of my dissertation will deal with the need and scope of farm papers in India. In order to be fair to the subject, I deem it appropriate to be guided by your ripe experience of Indian conditions. I feel that your opinion on the subject

will be of great value. Dean F.L. Mott, of the School of Journalism, joins me in urging you to give me your views on the attached questions and on any other that you think pertinent at your earliest convenience.

Reply by Air Mail would be greatly appreciated.

With cordial regards and Jai Hind,

Respectfully yours,
Ram Subhag Singh

Enclosure not included.

13. *From Frances Standenath*

Graz in Styria
Austria

11th January 1949

Dear Sir,

Dear Brother Rajendra Prasad!

In a few days it will be one year gone, since the holy life of our revered Mahatmaji was extinguished as the greatest damage (sic) for whole the world.

From all parts of our poor country Austria, which now has to face so many difficulties and also from all parts of foreign countries I get letters and cards asking me about the conditions of life now in India, asking how India is doing now, but I have not a single word since Bapuji has gone into the Eternity. It's not in the sense of Bapuji to let me so abandoned here. Bapu himself did write me with his own holy hands almost every month, even myself I did not venture to write so often, not to disturb him, and often I got letters from him, asking me, why I don't write so long time.

These letters and also Bapuji's sandals, slipped off his holy feet as a remembrance, as a keep-sake, when I left the Ashram give me the strength to struggle here for Bapuji's idea of Non-Violence and good will between all people, all nations.

Brother Rajendra, please, you promised me to write me about your dear land, to write me about our beloved revered Bapuji or to send me any newspapers or booklet, or even to order anyone to write me some words, when, probably, you have no time.

With kindest regards and with prayer, for you and your dear country,
I remain,

Yours sincerely,
Frances Standenath
(Called by Bapuji—'Savitri')

Sjt. Rajendra Prasad
Food Minister
1 Queen Victoria Road
New Delhi.

14. *To Sir Datar Singh*

Bajajwadi, Wardha
11th January 1949

My dear Sir Datar Singh,

I am so glad to receive your letter dated January 6 and to learn that you have returned. I saw your picture together with S. J. Deep Narayan Sinha taken in America in some Indian papers. I hope your mission has been quite successful.

I am sorry I could not come to Delhi on the 3rd instant as planned because just a few days before that I got fever and cough which lasted for several days. I am free from trouble now and may be coming to Delhi towards the end of this month for a few days. Hope you are quite well.

Yours sincerely,
Rajendra Prasad

Sir Datar Singh
Secretary, Ministry of Agriculture
Government of India, New Delhi.

15. *From K. Santhanam*

New Delhi
January 11, 1949

My dear Sir,

The following news item has appeared in the *News Chronicle* of January 10, 1949:

NEHRU TO ADDRESS O.T. RAILWAY WORKERS

BAREILLY, Jan. 9.—The annual conference of the Oudh and Tirhut Railwaymen's Union will be held this year on February 14 and 15 at Sonapur (Bihar). Dr. Rajendra Prasad will inaugurate and Pandit Nehru, Prime Minister, will address the conference.—A.P.I.

I do not know if this news has been put out with your consent. The moving spirit behind the Oudh and Tirhut Railwaymen's Union is one Mr. Bholanath Chaudhuri about whom I have been warned by Sri Jut Satyanarayan Sinha and others. Mr. Chaudhuri is said to be in the habit of exploiting the names of prominent leaders for undesirable purposes. If you have been approached in connection with any such conference, I wish to suggest that you may get a report from the Bihar or U.P. Ministry regarding this gentleman.

I am informed that Pandit Nehru's name has been used without his consent.
With high regards,

Yours sincerely,
K. Santhanam

Minister of State, Transport & Railways

Dr. Rajendra Prasad
Bajajwadi, Wardha.

16. *From Dr. H.C. Mookerjee*

16 Windsor Place
New Delhi
January 11, 1949

My dear Dr. Rajendra Prasad,

Your letter of the 7th was received late last evening.

I am glad to learn that you are free from temperature and that you have practically got over your cough. My wife and I are praying to God Whom we all worship in our different and inadequate ways, that He may be pleased to relieve you permanently from all your ailments.

I am very grateful to you for the kind way in which you have referred to the work I have done in the House.

There is one matter which I wish to mention but with considerable hesitation. Mr. T.T. Krishnamachari, whom you probably know much better than myself, has made valuable contributions to the work of the Constituent Assembly. On many occasions he suggested verbal and other changes in the course of the debate which were accepted readily by Dr. Ambedkar as improvements on the original Draft. Generally speaking, these partook of the nature of compromises acceptable both to members who had moved amendments as well as to the Chairman of our Drafting Committee.

I was thinking whether in the absence of most members of the Drafting Committee during the recent sessions, you would be prepared to consider the desirability of nominating Mr. Krishnamachari as a member of the Committee. I venture to think that he would be very useful there, as changes made with the consent of members moving amendments would tend to expedite the business of the House.

I should like to add that this suggestion is on my own initiative as also that there is no reason to think that Mr. Krishnamachari would have any objection to the nomination referred to above.

With best regards,

Yours sincerely,
H.C. Mookerjee

The Hon'ble Dr. Rajendra Prasad
Bajajwadi, Wardha (C.P.).

17. *To Dr. H.C. Mookerjee*

Bajajwadi, Wardha
13 January 1949

My dear Dr. Mookerjee,

Many thanks for your letter dated 10th January. I have seen that you have adjourned the Assembly till 10 a.m., May 16. That will suit me very well. I am very much better now and if things continue as they are at present, I hope to be in Delhi on the 30th in time to attend the function there at Rajghat. I am thankful to you for all that you have done in my absence and I am grateful to the members for the indulgence they have shown me.

I hope you are doing well with your family there.

With kind regards,

Yours sincerely,
Rajendra Prasad

Dr. H.C. Mookerjee
16 Windsor Place
New Delhi.

18. *To Sir B.N. Rau*

Bajajwadi, Wardha
15 January 1949

My dear Sir Narsingh Rau,

I have received a letter from Dr. Mookerjee, Vice-President of the Constituent Assembly. He suggests that Mr. T.T. Krishnamachari may be nominated to the Drafting Committee many members of which were not available at Committee meetings. He says that he has proved his usefulness by suggesting many amendments which were acceptable to Dr. Ambedkar and other members of the House. I shall be obliged for your opinion in the matter and if you let me know if there is a vacancy which I could fill up by nominating Shri Krishnamachari.

Yours sincerely,
Rajendra Prasad

Sir B.N. Rau
Constitutional Adviser
Constituent Assembly of India
New Delhi.

19. *To Dr. H.C. Mookerjee*

Bajajwadi, Wardha
15 January 1949

My dear Dr. Mookerjee,

I have received your letter dated 11th January. I am making enquiries if there is any vacancy to which I could nominate Shri Krishnamachari on the Drafting Committee. I shall write to you again after I have heard from Delhi.

Yours sincerely,
Rajendra Prasad

Dr. H.C. Mookerjee
16 Windsor Place
New Delhi.

20. *To K. Santhanam*

Bajajwadi, Wardha
15 January 1949

My dear Santhanam,

I have received your letter dated 11th January in which you quote the news item from Bareilly announcing that I would inaugurate O.T. Railwaymen's Union at Sonepur on 14th, 15th February. I am surprised to read this because I have not been approached and I have not given my consent.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri K. Santhanam
State Minister for Railways
Government of India
New Delhi.

21. *From Jawaharlal Nehru*

New Delhi
January 16, 1949

My dear President,

Your letter of the 13th December. The Government of India wholly approve of

the resolution passed by the Constituent Assembly in regard to the preparation of electoral rolls. I stated as much on behalf of the Government of India in the course of the discussion in the Constituent Assembly.

As regards the cost of printing etc., this will have to be met by the Provincial or State revenues or the Central revenues. I do not know exactly in what proportion and in what manner this cost is divided. It is for the Province or State concerned to write directly to the Government of India on this subject. I am having this matter enquired into.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly
Camp: Bajajwadi, Wardha.

22. From Dr. Syama Prasad Mookerjee

New Delhi
17 January 1949

My dear Dr. Rajendra Prasad,

Please refer to your D.O. letter dated 4th January 1949 regarding the manufacture of Hindi typewriters with a special keyboard which is being recommended by the Committee appointed by you to go into this question. I agree that, for the purpose of carrying out a test, it would be preferable to have about half a dozen typewriters prepared with the special keyboard in a Government factory. There is no factory under my Ministry which could undertake this job, but I think it would be possible to get this done in one of the Ordnance factories under the Defence Ministry. I am taking up the matter with them and shall write to you again.

I also agree with you that steps should be taken to get the new keyboard patented and to charge a royalty for its use.

I am having these matters examined.

I hope you are keeping well.

Yours sincerely,
Syama Prasad Mookerjee
Minister of Industry & Supply

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
Bajajwadi, Wardha.

23. *To Jawaharlal Nehru*

Camp: Bajajwadi, Wardha
19th January 1949

My dear Prime Minister,

Many thanks for your letter dated 16th instant intimating that the Government of India wholly approve of the resolution passed by the Constituent Assembly in regard to the preparation of the electoral roll and that the question of cost of printing etc. is being looked into. I have taken up the question of issuing detailed instructions regarding the preparation of the rolls and the draft electoral rules etc. with the Constitutional Adviser and the Secretariat of the Constituent Assembly and the matter is under active consideration.

Yours sincerely,
Rajendra Prasad

The Hon'ble Pandit Jawaharlal Nehru
Prime Minister of India
New Delhi.

24. *To Dr. Syama Prasad Mookerjee*

Bajajwadi, Wardha
19 January 1949

My dear Dr. Syama Prasad,

Many thanks for your letter dated the 17th instant regarding the manufacture of Hindi typewriters. I shall be awaiting with interest your further communication about the manufacture of a few typewriters in one of the Ordnance factories of the Defence Ministry with which you have taken up the matter.

I am all right now.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
Minister for Industry & Supply
Government of India
4 King Edward Road
New Delhi.

25. *To Sir N. Gopalaswami Ayyangar*

Bajajwadi, Wardha
20th January 1949

My dear Sir Gopalaswami,

Last year there was some difficulty about the transport of cotton from one place to another for Khadi work and I wrote to Dr. Matthai who was good enough to issue instructions, a printed copy of which is enclosed for your reference. I understand from the Bihar Khadi Samiti that they are feeling the same difficulty in moving cotton which they have purchased at Wardha to Bihar centres. I am enclosing copies of letters which have been written by Messrs. Bachhraj Factories Limited, through whom cotton has been purchased, to the Railway Authorities. May I request that effective orders may be issued so that Khadi work may not be held up from time to time on account of transport difficulty. I should mention that this order should be given to all authorities concerned in all railways.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sir N. Gopalaswami Ayyangar.

Enclosures not included.

26. *To K. Santhanam*

Bajajwadi, Wardha
20th January 1949

My dear Santhanam,

I am enclosing copy of a letter which I have addressed to Sir Gopalaswami Ayyangar.* May I request that you will kindly look into the matter and see that the matter is disposed of expeditiously and necessary orders issued.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri K. Santhanam
State Minister for Railways
Government of India
New Delhi.

*See Dr. Rajendra Prasad's letter to Sir Gopalaswami Ayyangar, dated 20 January 1949.

27. *From Sir B.N. Rau*

Council House
New Delhi
January 21, 1949

My dear Dr. Rajendra Prasad,

I have received your letter of January 15, regarding the proposal to nominate Mr. T.T. Krishnamachari to the Drafting Committee. While I agree with Dr. Mookerjee that it may be useful to have Mr. Krishnamachari on the Committee, I should like, if you see no objection, to consult Dr. Ambedkar also who is at present in Bombay and is expected here about the 25th of January 1949.

There is a vacancy in the Committee caused by the death of Mr. Khaitan.

Yours sincerely,
B.N. Rau
Constitutional Adviser

The Hon'ble Dr. Rajendra Prasad
Bajajwadi, Wardha.

28. *From S. Ramachandran*

THE INDIAN CHAMBER OF COMMERCE, PENANG

No. 7 Union Street
Penang
24th January 1949

Jai Hind!

Conveying with very great pleasure greetings and good wishes on behalf of the Indian Chamber of Commerce, Penang (Malaya), I have the honour to forward herewith copies of relevant correspondence on the question of using the name and picture of Swargastha Bapuji, as trade marks, for your information and for taking suitable action in this behalf.

It is our genuine feeling that the name and portrait of Gandhiji should not be allowed to be made use of except in an atmosphere of reverence and respect, and under no circumstances for commercial purposes. We are unable to reconcile to the use of same even in greetings and other cards intended as advertisements, and it is our feeling that there should be a directive in the matter by the Government of India or the Indian National Congress to stop this kind of abuse.

It is surprising that a Calcutta merchant has requested us to approve of his

using Mahatmaji as his trade mark, and goes to the extent of mentioning that neither the Central nor the Provincial Government has so far objected to such use!!

Nationalism and sense of democracy has been so confused that the average man has lost his capacity to discriminate between right and wrong in his conception of things. The significance of the National Flag of India has not been fully grasped by our people (in this country) that it is proudly aloft, on the 'Kumbha' of the temple chariot during festivals, as well as on the occasion of the ear-boring ceremony of the humble child of a proud son of India!! Still all attempts are incessantly made to make people understand values and set themselves right.

As in the case of the Flag, so also in the matter of using the name and portrait of the Father of the Nation as a commercial symbol, there should be a distinct directive from competent authority.

The correspondence will be self-evident, and we have the hope that you will endorse the stand taken by us in the light of our own conception of things, and if you agree that we are not in the wrong it is our earnest request that you will do the needful early enough to stop repetitions of this nature.

The best memorial for Bapuji will be preserving the sanctity of his name and symbolise him only in matters pertaining to the realm of the spirit and in computing higher values!

Begging to be pardoned for venturing to place before you the foregoing, and assuring you of the loyalty of the members of this Chamber to India, I wish you Jai Hind.

S. Ramachandran
Secretary, Indian Chamber of Commerce

The Hon'ble Dr. Rajendra Prasad
President, Indian Constituent Assembly
New Delhi.

Enclosure 1:

(Copy of letter from the Secretary, Indian Chamber of Commerce, Penang, to the President, Chinese Chamber of Commerce, Penang, with copy to the Chinese Consul, Penang)

It is with deep pain that I have been directed by the Managing Committee of this Chamber to bring to your notice the following, and I am sure you will appreciate and respect our sentiments and see that the wrong committed will be righted, avoiding avoidable delay and complications.

Messrs. Joo Lan Hup Kee Tobacco Coy., No. 222 Carnarvon Street, Penang, are using the picture of Mahatma Gandhi as a Trade Mark for their cigars which are named "Ghandi Rangoon Cigars" and his picture has been printed on

advertisement labels, placards, etc. While some people felt revolting and wished that these cigars should be boycotted by Indians, the Welfare Officer of the Government of India in Penang approached the merchant and appealed to him to withdraw these labels and this Trade Mark as it would be deemed insulting the great man, in vain.

I do not wish to create alarm nor minimise the gravity of the reactions in the minds of Indians. I need not tell you that Mahatmaji, as we affectionately call him, is regarded as the Architect of India's Destiny and the Father of Indian Independence. That he is considered the greatest of contemporary men in the world is an acknowledged truth. As a spiritual guide, even his political opponents look up to his teachings. We have not yet got over the shock of January 30th. There cannot be a greater sacrilege committed or conceived today than making this personality, who has come in the spiritual line of Gautama, a commercial symbol for procuring more money!—not to speak of the commodity used on!

It is therefore our desire that you will use your good offices to redeem the wrong wittingly or unwittingly committed, without aggravating matters. Thanks,

S. Ramachandran
Secretary

Enclosure 2:

(Copy of letter from the Secretary, Indian Chamber of Commerce, Penang, to the Registrar of Trade Marks, Federation of Malaya, dated 8th October 1948)

Re: Mahatma Gandhi in Trade Marks.

There is a tendency of late in unthinking minds, in their anxiety to become quickly rich, to use names and relics that just a second thought would make them revere and pay homage to, and unwittingly trade on all things holy and respectable, in their chase of the elusive mistress!

The picture of Mahatma Gandhi is an instance, which is favoured as the most successful seller of commodities, especially after his assassination. A certain Chinese Tobacco merchants who manufacture cigars have branded their cigars "Ghandi Rangoon Cigars" and have been using his picture on their advertisement labels and placards. They are Messrs. Joo Lan Hup Kee Tobacco Coy. Their trade mark is a picture of Mahatma Gandhi (bust size) with folded hands!

This Chamber has protested against this through the Chinese Chamber of Commerce and the Chinese Consulate. In the meantime, the Managing Committee of this Chamber has directed me to address you on the subject and to request on behalf of this Chamber that since Mahatma Gandhi has transcended the level of the mundane man, and is rightly regarded as the Father of our Nation, no registration shall be made as Trade Marks, any picture of Gandhiji, on any

commodity, on behalf of any individual or firm, which will be regarded by the community as an insult to the entire nation.

I would therefore request you to kindly see that the great personality is not so easily and cheaply defiled by being made a trade mark and means of making money.

Thanking you,

S. Ramachandran

Enclosure 3:

(Copy of letter from the Economic Secretary to the Government of the Federation of Malaya to the Indian Chamber of Commerce, Penang, dated 19th October 1948)

Re: Trade Mark—Mahatma Gandhi

I am directed to refer to your letter dated 8th October 1948, and to inform you that the trade mark under reference has never been submitted for scrutiny or recording pending the enactment of appropriate legislation for the protection of trade marks in the Federation of Malaya.

There being no registration of trade marks in the Federation of Malaya at present, has caused this unfortunate use of Mahatma Gandhi's picture.

I have today written to Messrs. Joo Lan Hup Kee of Penang in order to clarify the position and will inform you of results achieved.

C.D. Baird
for Economic Secretary

Enclosure 4:

(Copy of letter addressed to the Economic Secretary by Mr. Soon Chee, Advocate and Solicitor, Penang, with copy to the Indian Chamber, 9th November 1948)

10A Beach Street
Penang
9 November 1948

I have the honour on behalf of Messrs. Joo Lan Hup Kee Tobacco Coy. of 222 Carnarvon St., Penang, to acknowledge receipt of your letter herein of the 19th October 1948.

I wish to state firstly that the two partners of the firm do not know English, secondly that prior to this no one drew their attention to the article which appeared on page 3 of the issue of *The Straits Echo* of 9th October 1948, entitled "Gandhi Label Objection" and thirdly that when the said article was explained to them in Chinese, they readily agreed forthwith to cease to use the trade mark in

question and employ instead another trade mark for the same cigars in order to avoid giving any further unwitting offence to the Indian community in Malaya or elsewhere either.

I have instructions also to write to the Penang Indian Chamber of Commerce giving them the assurance of my clients to stop using the offending label now or hereafter and that what was done was done in ignorance.

I trust in the above circumstances that the request contained in paragraphs 1 and 4 of your letter in reply for forwarding to you a specimen of the trade mark for scrutiny and for a ruling need not now be complied with.

Soon Chee

Advocate and Solicitor

Enclosure 5:

(Copy of letter from Messrs. Jankidass Ramgopal, 48 Canning Street, Calcutta, to the Indian Chamber of Commerce, Penang, dated 14 December 1948)

Re: Trade Mark incorporating a portrait of Gandhi

We regret indeed to learn that objection is being raised to registration of a trade mark which incorporates a portrait of Gandhi.

We have our own trade mark which incorporates Gandhi working at the Charkha which we wish to register in Penang.

Never in the past ten years has any objection been raised in India, nor from the Central or Provincial Governments, to the use of such symbols as trade marks.

We therefore trust you will be so good as to grant us the necessary permission to register the same in our favour.

Thanking you in anticipation of early action.

Jankidass Ramgopal

Enclosure 6:

(Copy of letter from the Secretary, Indian Chamber of Commerce, Penang, to Messrs. Jankidass Ramgopal, Calcutta)

Penang

10 January 1949

Ref: Your letter of the 14th ultimo—Gandhiji in Trade Marks.

It is with great pain that I had to peruse your letter mentioned above, and to follow your arguments. I hope you, as any other Indian, hold Gandhiji in love and reverence, the saviour of the dignity and honour of India and Indians, and the designer and architect of our Independence. Time was when his name was associated with anything that needed his inspiration. Today, especially, when he is

at sublime REST, it is all the more necessary that we should preserve the sanctity of his name and memory and you will agree that making his name or his emblem as a means for procuring cheap money is tantamount to sacrilege, and we will be dishonouring one who lived and died to save our honour. The fact of your having used him as your trade mark for some years now, or that the Provincial or Central Government did not stop you from doing it, is no argument to justify what at the moment should be considered morally wrong and does not become the beneficiaries of his sacrifice.

It is therefore regretted that, so far as this Chamber is concerned, we cannot condone anyone who wishes to trade on his name in this country, and we are happy to note that even the local Government appreciates our feelings.

We would therefore advise you to desist from persisting in using Bapuji or anything connected with him, as a symbol, to profit.

S. Ramachandran
Secretary, Indian Chamber of Commerce

29. *To Jairamdas Doulatram*

Bajajwadi, Wardha
25th January 1949

My dear Jairamdasji,

I read in papers yesterday that the Government of India is arranging to import four million tons of foodgrains from foreign countries in 1949. When it was decided in December 1947 to gradually withdraw control on foodgrains, it was expected that the imports in 1948 would come to something about two million tons and out of this a reserve of five hundred thousand tons would be built up. As the year advanced it became apparent that the imports should exceed two million tons of target and towards the end of the year the Radio used to announce from week to week imports, which came in all to something like 3 million tons in 1948 and now in 1949 it is proposed to import four million tons. I do not know if the imports of foodgrains ever exceeded the figure reached in 1948 and that year was not a bad year despite floods and some other natural calamities in some part of the country or other. It is too early yet to say what 1949 is going to be like. But the decision, if the report is correct, to import twice the quantity that was ever imported causes anxiety.

It is a most unexplainable phenomenon that prices should have gone up while the food supply in the country was definitely easier both on account of local production and larger imports. It was hoped that we would be able to keep down prices by opening grain-shops in important centres where grain could be had at Government prices. This could not be tried in 1946 or 1947 because our imports were never sufficient to meet even the daily requirement when we were living

literally from port to mouth. But with larger imports in 1948 that should have been possible. I do not know how far this programme of having Government shops was given effect to and, if so, with what result. Reimposition of control does not seem to have improved matters to any appreciable extent so far.

How are you going to pay for the huge imports? It used to cost us more than 100 crores when the imports were less than two million tons and the Government used to pay by way of subsidy something like 20 crores a year. I do not know what the cost in 1948 has been and what it is expected to be in 1949. Evidently by the time all our projects for producing enough to feed our people materialise, we shall have become bankrupt, if we go on spending 200 or 250 crores a year on import of foodgrains. Our exports are not likely to increase because they comprise largely raw jute, jute products, and raw cotton. Raw jute and cotton are really not our exports. Besides, many of the big projects and the scheme for industrialisation necessitate a huge quantity of capital goods for which also we shall have to pay. I think, therefore, that we must cut down our imports and throw people on their resources to find food with such help as we can give from the centre in urgent cases. Unless something of that sort is done, we shall be rapidly gliding down the easier course of imports and more imports. I am sure the matter is constantly before you. But I have been feeling uneasy about it and considered it necessary to trouble you with this letter.

I am much better now and hope to be back in Delhi about the middle of February. I hope you are well.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Jairamdas Doulatram
Minister for Food & Agriculture
Government of India
New Delhi.

30. *To Jairamdas Doulatram*

Bajajwadi, Wardha
26th January 1949

My dear Shri Jairamdasji,

I wonder if you have ever met Lala Hardeo Sahay of Hissar. He is a walking encyclopedia of all questions relating to our cattle. A very serious situation has arisen on account of the export of milch cattle from Haryana to places like Calcutta and Bombay where the best milch cattle are taken and after one or two lactations find their way to the slaughter house. This happens because it is more economical to sell them for slaughter than to maintain them for another

lactation. The result is that the best milch cows and buffaloes are being destroyed. Formerly we had the Sindhi, Montgomery and Shahiwal breeds also in India. Now all these are in Pakistan and the only breed which is capable of giving good milk and also good draught cattle is being thus destroyed. Something should be done to prevent this waste of a most important form of national wealth. This is just to request you to hear all about this from Lala Hardeo Sahay who will give you a distressing picture which he has gathered after a tour recently. He will be able to give you a lot of other information which will be very useful and helpful.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Jairamdas Doulatram
Minister for Food & Agriculture
New Delhi.

31. *To Jairamdas Doulatram*

Bajajwadi, Wardha
27th January 1949

My dear Jairamdasji,

I desire to mention one thing in connection with our cattle problem. I had taken up the question of Government dairies which are run by the Defence Department. I think I left a note suggesting that the matter should be pursued. I have an impression that many of these dairies have thousands of acres of land and they have been run so long for one purpose, namely, securing milk and milk-products for the army. They were not interested in improving double-purpose breeds and so they did whatever they could to improve milk only and did not care for anything else. Indeed even the male calves used to be destroyed. But what we need really is double-purpose breed so that along with more milk we could get better draught cattle also and I was thinking that the Government should now undertake to run these various dairies for this purpose. The Animal Husbandry Department of the Agriculture Ministry could undertake this and I was thinking of even offering to the Defence Ministry that the Agriculture Ministry would supply them with milk and milk products required by them if they place all the dairies and the attached land at the disposal of the Agriculture Ministry. For this purpose I had suggested an enquiry and I had some correspondence with Sardar Baldev Singh. I wonder if the matter has been pursued and, if so, with what result. I may also mention that the Defence Department used to maintain extensive grass farms for raising grass for the horses used in the Artillery and Cavalry. Now we do not have any Cavalry at all and have hardly any horses for

transport purposes and therefore these grass farms are of no use. I believe there are many many thousands of acres of land reserved for this purpose. All this land should be immediately cultivated with food crops or dairies for improving cattle breed could be established wherever possible. You might perhaps consider these points and see if something could be done.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Jairamdas Doulatram
Minister for Food & Agriculture
New Delhi.

32. *To Dr. M.A. Rauf*

Bajajwadi, Wardha
29th January 1949

My dear Dr. Rauf,

I am enclosing a note about Zeyawaddy Grant and Kyauktaga Grant in Burma. It is intended for Dr. Pattabhi who is going there as leader of a delegation. You of course know about it but he may not be knowing and I have therefore sent to him a copy. But if he does not get it, the copy that I am attaching might be handed over to him for use, if necessary.

With kind regards,

Yours sincerely,
Rajendra Prasad

H.E. Dr. M.A. Rauf
Indian Ambassador, Rangoon.

Enclosure not included.

33. *To Vallabhbhai Patel*

Bajajwadi, Wardha
30 January 1949

My dear Vallabhbhai,

I have seen in the papers that the judgment in the Godse trial case will be delivered on 10 February. My feeling, which is shared by people here and at

Sevagram, is that it would be better if the judgment is delivered after the 12th. Is it possible to have it put off by a few days without exposing us to the charge of interfering with the judge's discretion? If it be, you know how to get it done.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sardar Vallabhbhai Patel.

34. *To K.C. Neogy*

Bajajwadi, Wardha
4 February 1949

My dear Kshitish Babu,

I have received a letter from the Secretary of the Indian Chamber of Commerce, Penang, complaining that Mahatma Gandhiji's name and picture as also the picture of our National Flag are used for commercial purposes. I have also seen many advertisements and many labels containing the same. I think it is most objectionable, if not sacrilegious, to use these symbols for commercial purposes so that some individual or firm might make money. Is it possible to prevent this kind of abuse? Will you be good enough to have the matter looked into and I would be prepared to go so far as to suggest that legislation might be undertaken, if necessary.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri K.C. Neogy
Minister for Commerce
Government of India
New Delhi.

35. *To S. Ramachandran*

Camp: Bajajwadi
Wardha (C.P.)
4 February 1949

Dear Sir,

I have received your letter dated 24th January and agree with you that it is a

sacrilege to use Mahatma Gandhiji's name or picture for commercial purposes. I am glad to read that the Chinese friends were reasonable and withdrew the objectionable label but unfortunately the Indian firm of Jankidass Ramgopal of Caleutta did not do it. I am, however, referring the matter to authorities here for their consideration.

Yours sincerely,
Rajendra Prasad

Sj. S. Ramachandran
Secretary, the Indian Chamber of Commerce
No. 7, Union Street, Penang (Malaya).

36. *To N.V. Gadgil*

Bajajwadi, Wardha
4 February 1949

My dear Gadgil,

May I trouble you about houses for the accommodation of members of the Constituent Assembly? On 31st October 1948 I wrote to you in this connection and you were good enough to reply on the 11th November (D.O. No. 5769 WII/48). Since then, I understand, the Accommodation Sub-Committee took a definite decision that unauthorised persons should be evicted, on the 29th November 1948, and this decision was taken when the Joint Estate Officer was present in the meeting. On the 5th January 1949 the Accommodation Sub-Committee was informed by the Estate Officer that eviction proceedings against unauthorised persons were in progress. I am told that the net result of all these efforts during the past months has been that two houses have become available by forcible eviction, 3 houses through the members concerned and possession of 5 houses has been regularised by the Sub-Committee. There are still several cases which are in occupation of unauthorised persons. I am asking the office of the Constituent Assembly to send you a list of such houses. Members are put to great inconvenience and something should be done to remedy this situation.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri N.V. Gadgil
Minister for Works, Mines & Power
Government of India
New Delhi.

37. To Rafi Ahmed Kidwai

Bajajwadi, Wardha
4 February 1949

My dear Rafi Saheb,

I am enclosing herewith copy of a portion of the Report of a Committee which I had appointed with the approval of the Prime Minister to consider and report on the best system of Hindi shorthand and Hindi typewriter and of Hindi telegraphic code. The portion I am attaching deals with the telegraphic code with which your Ministry is particularly concerned. I have submitted the full report to the Prime Minister. But as I have seen in the Press that some experiments are being made at present in some circles in Hindi signalling, your Department might perhaps give a trial to the system here recommended which claims to be more scientifically adapted to Hindi than any adaptation of the Morse system. It is claimed that this system is easier to remember, both for signaller and receiver and gives better speed. If it is found on trial to be most suitable, it would facilitate Hindi signalling very considerably.

Yours sincerely,
Rajendra Prasad

Hon'ble Rafi Ahmed Kidwai
Minister for Communications
New Delhi.

Enclosure 1:

New Delhi
15th January 1949

Shri Devideen Trivedi has an ingenious method of reversing the signs for pairs of similar sounds. Sometimes he inverts one sign into another. We were tempted to make use of these devices in the scheme suggested by us; they are useful in remembering the signs. But our arrangement shows the difference in the pairs by the last stroke which is better useful to the receiver. The subjoined is so arranged that the scheme explains itself. Provision is made here for short अ and short आ which are necessary for Southern languages. Special Urdu sounds also are provided for.

Kaka Saheb Kalelkar
Sriman Narayan Agarwal
Babu Ram Saxena

Enclosure 2:

विद्युत्लिपि (vidyullipi) or the telegraphic code, for those of the Indian languages

that can use the Nagari script, is not a difficult proposition. The sounds represented in the Nagari script are all scientifically arranged. A telegraphic code can easily be remembered and manipulated with ease if it takes full advantage of this scientific arrangement.

The code for signalling and that for telegraphing are naturally different. In teleprinting, each letter or sign must have the same number of units all throughout. The signalling code uses the dot and the dash in permutations of 1, 2, 3, 4 and 5 units. We thus get in all 2 plus 4 plus 8 plus 16 plus 32, i.e., 62 signs in all. There is plenty of room, therefore, for accommodating Nagari vowel signs and consonants. Conjunct consonants must, of course, be represented by the use of *halant*.

The three important schemes that we have received have all very wisely accepted the reformed system of writing vowels known as स्वराखड़ी (swarakhadi). They have all recommended the use of *halant* in representing conjunct consonants.

We would have very much liked to use the principle of frequency in assigning code signs to the letters and vowel signs of the Nagari alphabet, but the telegraphic code is extremely limited in its resources. A dot and a dash makes up its whole repertory. Every assistance must be given to the signaller, and more than the signaller, to the receiver, for remembering the signs. We have, therefore, made a very limited use of the principle of frequency and depended mainly on the scientific arrangement of the Nagari letters.

Thus short अ and other short and frequent vowel signs are made up of two units only. Most of the vowel signs (*matras*) have only three-digit signs.

Unaspirate letters like क, च, ट, त, प and ग, ज, ड, द, ब are represented by signs of four digits—the latter invariably end with a dash.

Aspirate letters, numerals and a few important service instructions have assigned to them signs of five digits. The heavy sounding Mahaprana letters, namely, स, छ, ठ, थ, फ and घ, झ, ढ, ध, भ, have all five digits. They all, moreover, end with a dash.

38. From Sir Datar Singh

MINISTRY OF AGRICULTURE

D.O. No. 173/11/22/CVA/49

New Delhi
The 4th February 1949

My dear Doctor Sahib,

We have decided to hold a meeting of the representatives of the Provincial Governments and Goshala Federations and prominent workers of the country,

interested in cattle welfare, on the 5th March at 11 a.m., under the chairmanship of Shri Jairamdas Doulatramji. The meeting will inter alia consider the progress made and the present position of the various provincial schemes for the development of Goshalas and Pinjrapoles of the country into Cattle Breeding and Milk Producing Centres. It will discuss and endeavour to remove any possible difficulties that may have been experienced in the working of the schemes and evolve a co-ordinated plan for future development of these Institutions throughout the country. It will further find out the possibilities of the formation of a Central Goshala Development Federation. As all this work was initiated by you and with the interest that you have been taking in it, I am sure you will kindly make it convenient to grace the occasion so that we may have the benefit of your valuable advice and guidance. The place of the meeting will be intimated as soon as it is fixed.

Yours sincerely,
Datar Singh

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

39. *To Dr. Syama Prasad Mookerjee*

Bajajwadi, Wardha
4 February 1949

My dear Dr. Syama Prasad,

I am herewith enclosing copy of a letter which I have addressed to the Prime Minister and of the Report of the Hindi Shorthand and Typewriter Committee about which I had written to you. I hope the matter will receive the consideration of the Government at an early date and necessary steps will be taken.

The keyboard containing appendixes C and D should be treated as secret till patent is taken out.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
Minister for Industry & Supply
Government of India
New Delhi.

Enclosures not included.

40. From H. S. L. Polak

265 Strand
London, W.C. 2
February 5, 1949

Dear Dr. Prasad,

It is a long time since I had news of you. I hope that you are satisfied with the work of the Constituent Assembly and the making of the new Constitution. I often see your name and activities referred to in the official Indian news issued here.

It is difficult to realise that more than a year has passed since Gandhiji's passing. His influence today is, I am sure, greater even than it was during his lifetime. May it hasten the coming of world-peace that all of us so deeply desire.

You may be interested to know—if you do not already know it—that Odhams Press here are this month publishing a book on Gandhiji's life, in which H.N. Brailsford, Lord Pethick-Lawrence and I are co-authors. I am covering the first forty years of his life, until his final departure from South Africa. Almost at the same time, Voras of Bombay will be reproducing my wife's book entitled *Mr. Gandhi: The Man*, originally published here in 1930.

I am also writing to let you know that on the 17th my son Leon will be flying to India by Air India, in connection with our professional work in which he is my partner. He has not been back there since his boyhood, when my family followed me to India from South Africa during the First World War. Several of our professional friends had inquired whether we intended to open an office in Delhi as Federal Court Agents. After consulting other friends, including Mr. Mavalankar and Mr. Murti, the Registrar of the Federal Court, we decided to do so, and my son will be going first to Bombay to qualify for admission to the Federal Court. I shall be grateful if you can render him any help and advice of which he may be in need during his stay in Delhi. He will be flying through the country visiting our friends in the Provincial Courts during his six weeks' stay in India.

Trusting that you are well, and with best wishes for the New Year,

Yours sincerely,
H. S. L. Polak

P.S. I have given to Devadas Gandhi several items for inclusion in the Gandhi Memorial Museum, including the very book by Ruskin which changed Gandhiji's life. I am also trying to send out the volumes of the paper that he founded in South Africa, and which I edited for so long, *Indian Opinion*, so soon as I hear from Krishna Menon about arrangements for despatch.

H.S.L. Polak

41. *To Vallabhbhai Patel*

Bajajwadi, Wardha
7 February 1949

My dear Vallabhbhai,

Many thanks for your letter dated 3 February 1949.

I appreciate why you and the Prime Minister are unwilling to suggest postponement of the delivery of judgment in the Gandhi murder trial even for two or three days. As that was the feeling of friends here, I wrote to you and the matter ends there.

I am very much better now and have in fact visited the districts of this small Province of four districts in connection with the Gandhi National Memorial Fund collection without any appreciable effect on my health. I am hoping to reach Delhi on the 15th and will of course meet you all when I am there.

Many thanks for your signature on the resolution of the Bihar Central Relief Trust.

With regards,

Yours sincerely,
Rajendra Prasad

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

42. *From H.M. Patel*

GOVERNMENT OF INDIA
(MINISTRY OF DEFENCE)

D.O. No. 65/S/49

New Delhi
The 11th February 1949

My dear Dr. Rajendra Prasad,

Will you kindly refer to your D.O. letter dated 9th January 1949 enclosing a letter from Dr. P.B. Mukerjee about his son Tapaskumar Mukophadhyay (Mukerjee)?

He was awarded a low grade by the Services Selection Board who interviewed him at Bangalore on 17-11-48. As candidates of higher grade were available for the vacancies, he was not selected for admission to the Inter-Services Wing course commencing in January 1949.

He is, however, eligible for the Inter-Services Wing course commencing in January 1950 for which the F.P.S.C. examination will be held in June next. The F.P.S.C. are also holding a supplementary examination for selecting candidates for admission to the Inter-Services Wing course commencing in July 1949. Candidates who were eligible for admission to the examination held in January last are also eligible for this supplementary examination, provided they did not appear in the January examination. Since Dr. Mukerjee's son did not apparently take the F.P.S.C. examination held on 7 and 8 January 1949, he is eligible for admission to this supplementary examination also. The last date for receipt of applications for this examination is 10 March 1949 and the examination will be held on 23, 24 May 1949. He may be advised to submit his application to the F.P.S.C. before the due date. Notices in the Press will be published very shortly inviting applications from candidates for this examination and also for the examination to be held in June 1949.

Yours sincerely,
H.M. Patel

Dr. Rajendra Prasad
Bajajwadi, Wardha.

43. *From K.C. Neogy*

No. HM/64/49

New Delhi
The 14th February 1949

My dear Rajen Babu,

Will you please refer to your D.O. letter dated the 4th February 1949, relating to the use for commercial purposes of the name and picture of Mahatma Gandhiji and the picture of our National Flag. The question has been under consideration of Government for some time now and we are actively examining the issue of legislating with a view to prevent effectively the use of the names and pictures of our National Leaders and the picture of our National Flag. I shall write to you again as early as possible.

I am also requesting the E.A. & C.R. Ministry to advise our diplomatic representative in Malaya to ascertain from the Indian Chamber of Commerce, Penang, the particulars of the cases referred to by them and if necessary to make suitable representations to the local Government.

Yours sincerely,
K.C. Neogy
Minister for Commerce

The Hon'ble Dr. Rajendra Prasad
Bajajwadi, Wardha.

44. *To Jawaharlal Nehru*

1 Queen Victoria Road
New Delhi
The 19th February 1949

My dear Prime Minister,

At its last meeting the Constituent Assembly passed a resolution giving certain directions upon the electoral work to be done under the new Constitution. Even before the resolution was passed, the Secretariat of the Constituent Assembly had initiated action for the preparation of electoral rolls on the basis of the provisions of the Draft Constitution. Detailed instructions in this matter had been issued to all the Provinces and States as early as March 15, 1948. In nearly all the Provinces and in some of the States the preliminary work of preparing the draft rolls is over; in one or two Provinces the printing of the rolls has already started. The resolution passed by the Assembly fortifies the action taken so far and also enables further steps to be taken in this direction. A further question which naturally arises at the present stage is what machinery should be employed to implement the directions of the Constituent Assembly.

This is a matter which requires careful consideration. There has been an idea that the work connected with the new elections should be entrusted to one of the Ministries of the Government of India, preferably the Law Ministry, in view of the financial commitments involved. But other aspects of the case have to be considered. It has been hinted in a section of the Press that in some Provinces, Government is attempting to register its own supporters in the electoral rolls. In the by-elections to Provincial Assemblies which have been recently held it has been freely alleged by members of losing parties, particularly the Socialist Party, that the Provincial Government concerned has taken undue advantage of its position in the conduct of the elections. To avoid giving ground for any such suspicion, it seems important that the machinery to be set up to direct and control the elections under the new Constitution should be an impartial and independent body, above party politics.

The need for securing impartiality and for avoiding even the appearance of any party bias in this important matter was realised by the framers of the Draft of the new Constitution and they have accordingly provided in article 289 for the appointment of an Election Commission to superintend, direct and control all elections. In the Draft, as it stands at present, separate Election Commissions for the Centre and the Provinces are contemplated. There is, however, a feeling among members that the interests of the country would be best served if there were only one all-India Commission controlling all the elections, Central as well as Provincial. Before such a body can be set up in anticipation, it is, of course, necessary that the relevant provisions should be approved by the Constituent Assembly. As a matter of fact, during the last session itself there was a proposal that articles 289 to 291 of the Draft Constitution (which relate to the conduct of

the elections) should be passed by the Assembly along with the other provisions relating to electoral matters. Unfortunately, owing to lack of time these articles could not be reached. Apart from the constitutional question as to whether it is the present Government of India or the Constituent Assembly which has the power and authority in law to take steps for bringing the new Constitution into operation, by setting up the various organs of Government as laid down by the Constitution, it is highly desirable that everything connected with the elections including preparation of electoral rolls, delimitation of constituencies, and conduct of elections, should be done by an independent body. It is, therefore, suggested that a Commission of the kind contemplated in the Draft Constitution should be appointed and the Constituent Assembly should meet at an early date and (a) adopt article 289 with suitable amendments as well as (b) pass a resolution authorising the President of the Assembly to appoint an *interim* Commission pending the coming into operation of the new Constitution. The date of the meeting, which can be on a Saturday, may be fixed in consultation with the Speaker. It may be noted that the preliminary work in connection with the enforcement of the Constitution Act of 1935 as also of 1920 was done not by the Government of India but by a Reforms Department under the Governor-General.

In order to give the Commission an independent status Government may, as in the case of the Constituent Assembly, make a lump sum grant for its support. In all matters where Government's sanction is required or when further expenditure on behalf of Government has to be incurred, this body will consult the appropriate Ministry of the Government of India.

Yours sincerely,
Rajendra Prasad

The Hon'ble Pandit Jawaharlal Nehru
Prime Minister of India
New Delhi.

45. To R.R. Diwakar

1 Queen Victoria Road
New Delhi
The 20th February 1949

My dear Diwakar,

May I mention to you one matter which has been suggested to me for consideration by the All India Radio? You know on the full-moon day of Baisakh Lord Buddha was born, attained enlightenment and also attained Nirvan. All these great events of his life fell on that day and therefore that day is regarded as a very sacred day by the Buddhists all the world over. Our country

has forgotten Buddha but there is a growing consciousness now and I think it would be well if the Radio could have special programme for that occasion. It would be very much appreciated, I think, by the Buddhists and if the programme is so made, it may also be a means of spreading Mahatma Gandhi's principle of Ahimsa. I shall be obliged if you could kindly consider this matter.

Yours sincerely,
Rajendra Prasad

Shri R.R. Diwakar.

46. *To H.S.L. Polak*

1 Queen Victoria Road
New Delhi
The 21st February 1949

My dear Mr. Polak,

Many thanks for your letter dated the 5th February. I was away from Delhi and could not write to you earlier for which please excuse me. I have not yet met your son who must by this time be somewhere here in India. I shall of course give him such assistance as I can during his stay here. I shall try to find out where he is from Shri Devadas Gandhi who, I believe, is in the know of his whereabouts in India.

I have not yet seen your book but I am hoping to be able to get it if it is available in this country.

I have not been keeping well and was away for a long time on account of my ill health but I am much better now. We are busy now collecting funds for the Gandhi National Memorial Fund which we close on the 30th April after which we shall think of the form the memorial should take and the various items of constructive programme in which the money may be spent.

With kind regards,

Yours sincerely,
Rajendra Prasad

H.S.L. Polak, Esq.
265 Strand, London, W.C. 2.

47. *To Dr. John Matthai*

1 Queen Victoria Road
New Delhi
The 22nd February 1949

My dear Dr. Matthai,

May I take the liberty of drawing your attention to the case of Mr. Keshav

Dayal, at present Deputy Accountant General (Senior), U.P.? He made a representation regarding certain adverse comments made on his service records and his continued supersession, which has remained pending for over a year and no decision has yet been taken. He has been given promotion but simultaneously other adverse report has already been made and against which he has already represented and his representation is pending before the Auditor General. He feels he is being persecuted and hopes to get justice from you. I am writing this to you on the recommendation of a friend who has held the high post of the Judge of a High Court only to request you to look into the matter so that if any injustice has been done it may be remedied. His original petition was sent to the Governor-General-in-Council on the 26th November 1947.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. John Matthai
Minister for Finance
Government of India
2 King Edward Road
New Delhi.

48. *From Dr. M.A. Rauf*

INDIAN EMBASSY

No. 23-PA/49

Rangoon
25th February 1949

My dear Rajendra Babu,

Thank you very much for the note on the Zeyawaddy and Kyauktaga Grants. As you know Dr. Pattabhi did not come to Burma owing to the local situation here, which is causing us all considerable anxiety. We have no doubt that Indians in their difficulties in Burma have the blessings of our revered leaders like yourself.

Respectfully yours,
M.A. Rauf

Dr. Rajendra Prasad
Bajajwadi, Wardha.

49. *From Willy Begert*

SERVICE CIVIL INTERNATIONAL

Secretariat International
9 Rue Guy de la Brosse
Paris-V
March 8th, 1949

Dear Dr. Prasad,

Your name has been mentioned to us as one who might be interested in the work of the Service Civil International. I am sending you under separate cover some of the literature issued by our British Branch from which you will see that our aim is to foster goodwill and international reconciliation among all peoples through the medium of international work camps—groups of young people of different nationalities, religions and backgrounds working and living together and giving disinterested service for some needy cause.

At the present time we are very anxious indeed to spread our work outside the boundaries of Europe, and ever since our late President, Pierre Ceresole, the founder of S.C.I., took part in the work of rebuilding houses in the earthquake region of Bihar from 1934 onwards, we have had a special concern to further our work in India. During the past year, we had a number of friends from India working on our European camps; some of them have returned now to their own country, and we are in touch with them with a view to keeping them informed of any possibilities which come to our notice. During the coming year we hope to increase the number of non-Europeans taking part in our camps, so that when they return to their country they may take with them a good experience of the movement.

Our object in writing to you is to ask whether you see any means of helping us to promote the idea of the S.C.I. in India. We should be very glad to have the names and addresses of any persons in India who you think may be interested in S.C.I. work, or who may be staying in Europe and could participate in our work here. We should be interested, too, to know of any ideas you may have for suitable work which S.C.I. could undertake in India.

We should like to thank you in advance for any help you may be able to give.

With all best wishes,

Yours sincerely,
Willy Begert
International Secretary

Dr. Rajendra Prasad
6 Jantar Mantar Road
New Delhi, India.

50. *To Dr. Tara Chand*

Sarvodaya Samaj Camp
Rao (Indore)
March 10, 1949

My dear Dr. Tara Chand,

I am enclosing herewith a representation on behalf of an institution at Mhow which used to be aided by Government before but has ceased to receive any aid since August 1947. They told me that even arrears relating to a period before August 1947 have not been paid and their representations have not succeeded in getting any response. Possibly the difficulty is due to the fact that it is not known what authority is concerned in this case. Mhow is a cantonment station and used to be under some department of the Government of India. It is situated near Indore and I do not know whether it is a part of Madhya Bharat Union or still continues to be under the Government of India and, if the latter, whether the Education Ministry or any other Ministry has to deal with applications like this. I am sending this to you in the hope that the matter will be looked into and whatever the decision of the Government may be should be communicated to the party concerned, and in any case the arrears relating to period prior to August 1947 may be paid.

Yours sincerely,
Rajendra Prasad

Dr. Tara Chand
Secretary, Ministry of Education
Government of India
New Delhi.

Enclosure not included.

51. *From Hon. Joint Secretary, Ceylon Indian Congress*

THE CEYLON INDIAN CONGRESS

Colombo
12th March 1949

My dear Doctor,

I take this opportunity to invite you to attend our 9th Annual Sessions to be held at the Sarojini Nagar, Hatton (Ceylon), on the 22nd, 23rd and 24th April 1949.

As you are well aware of the passing of the Indian Residents Citizenship Act by the Ceylon Government, the 8 lakhs of Indians in Ceylon are alarmed over their future status in the Island. We note with pleasure from Press reports that you would be touring the Madras Presidency till the 25th of April. We shall be grateful if you could please make it convenient to attend our Sessions at least for a day, so that it would, apart from being a great source of encouragement to us, also demonstrate to the Government and people of Ceylon that it is the gravity of our situation that has made you undertake this trip, despite your indifferent health.

Hoping to be favoured with an early reply and with kind regards,

Yours sincerely,
(Sd.) *Illegible*
Hony. Joint Secretary

Dr. Rajendra Prasad
Indian Constituent Assembly
New Delhi.

52. To V.K. Krishna Menon, B.R. Sen, and J.J. Singh

Sarvodaya Samaj Camp
Rao, Indore, C.I.
March 12, 1949

May I introduce to you Shri Sriman Narain Agarwal, Principal of the Seksaria College of Commerce, Wardha? He is one of those intellectuals who came in rather close contact with Mahatma Gandhi and has written some books interpreting his thoughts, to one of which Mahatmaji himself contributed a foreword expressing his appreciation. He is visiting other countries and I shall feel obliged if you kindly give him such assistance as he may require, particularly by way of establishing contacts with personalities there.

Rajendra Prasad

Shri V.K. Krishna Menon
High Commissioner of India
London.

Shri B.R. Sen, I.C.S.
Secretary, Indian Embassy
Washington.

Shri J.J. Singh.

53. From Sir Datar Singh

GOVERNMENT OF INDIA
(MINISTRY OF AGRICULTURE)

D.O. No. 1-144/47-L.

New Delhi
The 13th March 1949

My dear Dr. Rajendra Prasad,

Will you please refer to your demi official letter dated the 27th January 1949 to the Hon'ble Minister regarding the Military Dairy and Grass Farms? The question of improving the existing Military Dairy Farms, and utilising them for general breeding purposes, was discussed at a meeting of the representatives of the Ministry of Agriculture and Defence in August last, when it was decided that these dairy farms should continue to remain under the control of military authorities but an advisory board consisting of both civil and military experts should be set up and every effort should be made to improve these dairy farms in the way of milk and its products; production on the farms to become self-sufficient for roughage and concentrates as far as possible and to breed the requirements of animals on the farms.

It was also decided to appoint a sub-committee consisting of Dairy Development Adviser, the Animal Husbandry Commissioner, Brigadier Gurbachan Singh and Lt.-Col. Sarkaria with the following terms of reference:

- (a) May visit as many farms as necessary to obtain information first hand with regard to their working and based on their observations and the information already provided to the Military Dairy Farms Department, suggest for the consideration in respect of the nature and extent to which improvement can be brought about with a view to fully exploiting the present resources of the dairy farms, and to meet the pressing requirements of fodder, cattle and milk and assure the supply of milk and milk products to troops as at present;
- (b) Will visit the two farms in particular which at present are maintaining the pedigreed herds of indigenous breeds, namely, Sahiwal, Sindhi and explore the possibility of rearing as much of the 'farms-bred' stock as possible so that the animals surplus to the requirements of the farms can be made available for distribution in important breeding areas. Full details of the financial implications involved in giving effect to the proposal made in this respect will also be provided;
- (c) Will explore the possibilities of introducing herds of other important Indian breeds such as Tharparker, Giri and Hariana on some of the existing farms where buffalo herds are maintained at present in areas where animals of these breeds can thrive and if possible provide a plan for achieving this,

- indicating the financial implications; and
- (d) Deal with any other cognate points having direct bearing on the problem under investigation which it may come across during its enquiry.

The final report of the sub-committee is awaited, and as soon as the report is received, we hope to take further necessary action in the matter.

The question of utilising the military grass farms maintained for raising grass for the horses in the Artillery and Cavalry for cultivating food-grains or for establishing dairy farms is being taken up with the Defence Ministry.

Yours sincerely,
Datar Singh

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

54. *To M.H. Polak*

Camp: Ziradei
District Saran, Bihar
The 22nd March 1949

My dear Mr. Polak,

I have received your letter dated the 7th March 1949, while I have been on tour. I am afraid, both you and I being on move, it has not been possible for us to meet. I am hoping, I may be in Delhi on the 9th of April. If you are there, we might meet. After that I shall be constantly moving about outside Delhi till the end of April in connection with the Gandhi National Memorial Fund.

Yours sincerely,
Rajendra Prasad

M.H. Polak, Esqr.
C/o Shri Devadas Gandhi
Managing Editor, Hindustan Times
Connaught Circus
New Delhi.

55. *To H.S.L. Polak*

Camp: Ziradei
District Saran, Bihar
The 22nd March 1949

My dear Mr. Polak,

I have received your letter dated the 4th March 1949 but I have all the time been moving about from place to place in connection with the Gandhi National Memorial Fund and it has so happened that while I was in Delhi, Mr. Polak, the Junior, was in Bombay and when I was in Bombay, he was in Delhi. I am not likely to be in Delhi till the end of April except on the 9th April, just for a day. If he is there, I shall meet him or if he is in India after the end of April, I shall have opportunity to see him. He has however written to me and I have also replied to his note.

Yes, the death of Sarojini Devi was a great shock to all of us.

Yours sincerely,
Rajendra Prasad

H.S.L. Polak, Esqr.
49 Earles Avenue
Folkestone, Kent, England.

56. *From Dr. Tara Chand*

New Delhi
24th March 1949

My dear Dr. Rajendra Prasad,

I must apologise for not having acknowledged earlier your letter of 10th March 1949 regarding the grants-in-aid to the Sacred Heart School, Mhow. I am looking into the matter and shall do whatever is possible.

Yours sincerely,
Tara Chand

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

57. *To Sir N. Gopalaswami Ayyangar*

Camp: Ziradei
District Saran, Bihar
The 25th March 1949

My dear Sir Gopalaswami,

I drew your attention to what I felt about the proposal to build a Central Station at Agra at the cost of 3 to 4 crores of rupees. I have told you what the reaction of the local public was as I got it from the Chairman of the Agra Municipality. The Chairman told me that the effect of this improvement so far as the public of Agra was concerned will be that where they now can get to the railway station by Tonga at the cost of eight annas, they will have to spend Rs.2 for going to the Central Station which will be outside the city at the distance of 3 to 4 miles. I have heard that there is a similar proposal to build a Central Station in Delhi or New Delhi which will perhaps be equally expensive. I do not know why it should be necessary for us to go in for this luxury of having big impressive railway stations when so many other projects are held up for want of funds. One of the objections to the construction of a bridge at Patna is that it will cost 3 or 4 crores extra. If some of these projects are held in abeyance it should not be difficult to take up the more urgent and useful projects. I hope you will look into the matter and excuse this intrusion.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sir N. Gopalaswami Ayyangar
Minister for Railways and Transport
Government of India
New Delhi.

58. *From K. Santhanam*

No. HMSR/398

New Delhi
27th March 1949

My dear Sir,

Your kind letter of the 24th March regarding the train timings and connections on the O.T. Railway. I shall have your suggestions immediately

examined and let you know the result as early as possible.

With high regards,

Yours sincerely,

K. Santhanam

Minister of State, Transport & Railways

The Hon'ble Dr. Rajendra Prasad

Camp: Ziradei

Distt. Saran, Bihar.

59. *From Dr. Syama Prasad Mookerjee*

D.O. No. 1(2)-21(11)/48

New Delhi

30th March 1949

My dear Dr. Rajendra Prasad,

Please refer to your letter of the 4th February 1949, enclosing copy of a letter addressed to the Prime Minister and of the Report of the Hindi Shorthand & Typewriter Committee, on the question of the manufacture of Hindi Typewriters. The Defence Ministry, who were asked to prepare 6 typewriters with the new keyboards in one of their Ordnance factories, have informed us that for want of raw material, proper equipment and technical skill they are unable to get this work done in their factories. Meanwhile, we have arranged to take a patent in the name of the Directorate-General of Industries and Supplies and are contacting Messrs. Godrej & Co., Bombay, with a view to get the typewriters manufactured with the new fitments as early as possible to carry out the necessary test.

2. I shall revert to the subject as soon as any further development takes place.

Yours sincerely,

Syama Prasad Mookerjee

The Hon'ble Dr. Rajendra Prasad

President, Constituent Assembly of India.

60. *To Frances Standenath*

1 Queen Victoria Road
New Delhi
The 6th April 1949

My dear Savitri Devi,

I have received your letter dated the 11th January and I am sorry I could not write to you earlier partly because of my ill health and partly because after recovery I have been constantly touring for collecting funds for the Gandhi National Memorial. I hope you will excuse this.

We in India have had very hard times since the country was partitioned and a portion cut off and made into Pakistan. The actual division passed off smoothly but was followed by very disastrous consequences. A large number of Hindus and Sikhs, numbering about 5 millions, were forced to leave Pakistan and migrate to our part and a similar migration of Mussalmans from areas adjoining Punjab took place from our side to Western Pakistan side. This was accompanied with great suffering and has created great problems for the Government which have not been solved satisfactorily as yet. You can understand how difficult it is to settle and rehabilitate 5 million people who have left their home, their lands, their other belongings and have to start life anew in new surroundings without any previous preparation. But things are settling down now. Bapu's death came as a great blow to all of us. It came just when this migration was being completed and plans for rehabilitating them were under discussion. The country was deprived of his guidance. He however succeeded by his death in restoring good feelings between Hindus and Muslims to a very considerable extent which had become very embittered by incidents preceding and following partition. I do not know if you get the Harijan Weekly paper which Bapu used to edit when he was alive. After his death, it is being edited by Syt. Kishorlal Mashruwala, who was one of Bapu's closest associates. I think you could not do better than read this weekly paper and keep yourself in touch with India and with all that is being done to carry on Bapu's wishes. It is published from Ahmedabad.

I hope you are doing well. With kind regards,

Yours sincerely,
Rajendra Prasad

Miss Frances Standenath
Graz in Styria
Austria.

61. *To K. Santhanam*

1 Queen Victoria Road
New Delhi
The 8th April 1949

My dear Santhanam,

You know we have got at various places in the country many centres for village industries, one of which is oil pressing in Ghanis. The Khadi Pratisthan of Sodepur (near Calcutta) is the most important centre for village work in West Bengal. It had its branches in East Bengal but I do not know if they are welcome now. But the Khadi Pratisthan is still active near Calcutta. They have a number of Ghanis for which they have to import mustard and rape seeds from other places. They have been feeling considerable difficulty in getting priority of wagons. Sometime ago, I wrote to you about wagons for transporting cotton to our Khadi centres. This is a similar thing and this village industry which has been encouraged should not be allowed to suffer on account of the want of raw material on which alone it can work. I shall be obliged if you kindly look into the matter. The bearer of this letter, Shri Charu Chaudhury, who has come here on behalf of the Khadi Pratisthan, will see you in this connection and will explain to you his difficulties and requirements. Please do the needful.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri K. Santhanam
Minister of State for Railways and Transport
Government of India
New Delhi.

62. *To Willy Begert*

1 Queen Victoria Road
New Delhi, India
April 18, 1949

Dear Mr. Begert,

I have received your letter dated the 8th March 1949. Please excuse the delay in writing to you. I have been moving about a great deal of late and hence the delay. You may not know that I worked in close association with the late Dr. Pierre Ceresole when he was in India to help us in rehabilitation of areas devastated by the earthquake of 1934. I happened at that time to be the President of the non-

official relief committee which was known as the Bihar Central Relief Committee and the work which Dr. Ceresole did was jointly financed by the non-official Bihar Central Relief Committee and by the Government of Bihar. I, therefore, came in rather close contact with him and his other co-workers who had come with him. You can understand what high regard I have for an organisation which helped us in our time of distress and which could send out a person of the calibre and stature of Dr. Pierre Ceresole for this work. We have at the present moment a similar problem of rehabilitation on a very big scale as a result of partition of India. There has been a tremendous movement of population from each side to the other side involving not less than 10 to 12 million people. The Government of India as also our Provincial Governments have been trying to tackle the big problem. Non-official organisations are also helping but the task is so tremendous that we have not been able to reach anywhere its end. I had a talk about this letter of yours with Mr. Horace Alexander of the Society of Friends, London, who has been working in India in many ways. He is of opinion and I agree with him that if some of your members with experience of this kind of work could be associated with the relief and rehabilitation operations, it would be a helpful contribution. But for this purpose the Government has to be approached. I am particularly thinking of one centre where we are going to build a township for settling the uprooted people. I am trying to contact the gentleman in charge as also the Ministry of Relief and Rehabilitation and find out how far this association will be possible. In the meantime, I shall be obliged if you let me know whether it will be possible for you to send out a few experienced and tried workers and, if so, on what terms and for what period. This will help in finally settling matters if the Government is agreeable.

With best wishes,

Yours sincerely,
Rajendra Prasad

Willy Begert, Esqr.
International Secretary
Internationaler Zivildienst
Secretariat International
9 Rue Guy de la Brosse, Paris-V.

63. *To Mohanlal Saksena*

1 Queen Victoria Road
New Delhi
The 18th April 1949

My dear Mohanlalji,

I am enclosing copy of a letter which I have received from Paris.* The letter

will speak for itself. Dr. Pierre Ceresole, who was the President of this organisation, came to Bihar with a number of workers after the earthquake and stayed there for nearly a year and helped in building some villages and settling down people who had lost their homes in the earthquake. The Bihar Central Relief Committee and the Government of Bihar jointly financed this work and some of our relief workers were detailed to help Dr. Ceresole. I am, therefore, knowing this organisation. Dr. Ceresole came of a highly connected family in Switzerland and the first war led him to the conclusion that unless a substitute was found for military services for those people who are earnestly inclined they would go in for military services and so he organised this batch which was intended to work in peace on the same basis as people are required to work in a military camp. Instead of having drill and exercises as preparation for military service, the members of this organisation are engaged in social service. They had done a lot of work of rehabilitation after the first war and when Dr. Ceresole heard about the earthquake in Bihar, he with some of his colleagues came out and remained in Bihar working with the ordinary labourers for a fairly long time. I have, therefore, formed a high opinion of this organisation. I do not know if you could utilise the services of a batch of workers from this organisation who would naturally work more or less on the same lines as the Red Cross people or the Society of Friends people are doing. They might perhaps take up even physical work themselves but they can certainly do the supervision work also which some of our relief committee workers have been doing in connection with buildings etc. You might perhaps consider this and let me know the Government viewpoint so that I might have further correspondence with the organisation.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Mohanlal Saksena
Minister for Relief and Rehabilitation
Government of India
New Delhi.

*See letter from Willy Begert to Dr. Rajendra Prasad, dated 8 March 1949.

64. *To Sudhir Ghosh*

1 Queen Victoria Road
New Delhi
The 18th April 1949

My dear Sudhir Ghosh,

I am enclosing copy of a letter which I have received from Europe* as also of a

letter which I have addressed to Shri Mohanlal Saksena, our Relief and Rehabilitation Minister.† Do you think there is any scope for work of this kind in the Rajpur Township Scheme? Will you be able to utilise their services? You will write to me after consulting any other friend also if necessary.

Yours sincerely,
Rajendra Prasad

Shri Sudhir Ghosh
In-Charge, Rajpur Township
Near Patiala, P.E.P.U.

*See letter from Willy Begert to Dr. Rajendra Prasad, dated 8 March 1949.

†See Dr. Rajendra Prasad's letter to Mohanlal Saksena, dated 18 April 1949.

65. *From Sir N. Gopalaswami Ayyangar*

No. HMT/129/49

New Delhi
20th April 1949

My dear Dr. Rajendra Prasad,

Please refer to your D.O. letter of the 18th April 1949 to Santhanam regarding the booking of oilseeds to the Khadi Pratisthan, Sodepur.

You will be glad to know that instructions have been issued to the Regional Controller of Railway Priorities, Calcutta, to arrange for their movement at the rate of one wagon per week in a movable class of priority. Shri Charu Chaudhury who, I understand, is fully satisfied with this rate of movement, is being advised direct of the arrangements made.

Yours sincerely,
N. Gopalaswami Ayyangar
Minister for Transport & Railways

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
1 Queen Victoria Road, New Delhi.

66. *From B.N. Bhardwaj*

New Delhi
20th April 1949

Dear Sir,

I have been directed by Dr. Tara Chand to acknowledge the receipt of your letter dated the 14th April 1949 regarding Syt. Rajasekhar Gundappa. Dr. Tara Chand said that he would look into the matter and would see what can be done for Syt. Gundappa.

Yours faithfully,
B.N. Bhardwaj
Private Secy. to Secy., Min. of Education

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

67. *From Mohanlal Saksena*

MINISTRY OF RELIEF & REHABILITATION

D.O. No. 961/PSWR

New Delhi
April 21st, 1949

My dear Rajen Babu,

I have your letter dated 18th April 1949 regarding Dr. Pierre Ceresole of the Service Civil International.

We should be glad to avail of the services of such an organisation. I shall feel obliged if you will take up the matter further with Dr. Pierre and ask him to let us know what assistance he can render in this difficult task of rehabilitation.

Yours sincerely,
Mohanlal Saksena

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

68. *From Sir N. Gopalaswami Ayyangar*

D.O. No. 6203-W

New Delhi
27th April 1949

My dear Dr. Rajendra Prasad,

Reference your D.O. letter dated the 25th March 1949.

As you are doubtless aware, the Government have already issued a directive in pursuance of their anti-inflationary policy that no new schemes should be undertaken unless they are considered unavoidable, and that even accepted schemes are to be reviewed so that expenditure on such of those as are not productive, or could be postponed, or slowed down, should be deferred or curtailed. Such a policy, however, cannot be allowed to prevent the preparation of schemes in advance of the time when conditions will permit their execution.

There is no provision made for the proposed Central Station at Agra in the current year's budget. The town of Agra is at present served by three Railways at 7 stations, of which 5 are passenger and 3 goods booking, and the facilities available at these stations are not adequate even to meet the present traffic. The need to provide improved facilities has been under consideration for a long time past and one of the proposals is to build a Central Station and a Central Marshalling Yard for all the 3 Railways. No final decision has yet been reached. The Provincial Government and the public of Agra have been closely associated with the investigations, and I can assure you that, when arriving at a decision, due consideration will be given to the requirements of the public.

There is no proposal to construct a Central Station at Delhi. The present proposals are to concentrate the handling of goods traffic, both inward and outward, at New Delhi, and the passenger traffic mainly at Delhi Main Station. For the convenience of the public residing in New Delhi, it is proposed to improve passenger facilities at New Delhi Railway Station.

As regards the construction of a bridge over the Ganga at Mokameh, the main reasons which led to the selection of the site were:

- (i) Expert engineering and financial opinion favoured the construction of a bridge at Mokameh.
- (ii) Rail-ferry at Mokameh was a serious bottleneck.
- (iii) The potential industrial area of Monghyr was nearer to Mokameh than to Patna.

When the Government of India approved of the proposal to construct a Railway bridge at Mokameh, they also decided that the preliminary investigations regarding the bridge site at Patna was the responsibility of the Bihar Government and if the Provincial Government, after making the

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Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

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The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

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- (ii) Rail-ferry at Mokameh was a serious bottleneck.
- (iii) The potential industrial area of Monghyr was nearer to Mokameh than to Patna.

When the Government of India approved of the proposal to construct a Railway bridge at Mokameh, they also decided that the preliminary investigations regarding the bridge site at Patna was the responsibility of the Bihar Government and if the Provincial Government, after making the

preliminary investigations, decided to construct a bridge at Patna, the question of an ad hoc grant by the Centre would then be considered.

Subsequently, as a result of unprecedented floods in 1948, the river at Mokameh developed a second channel on the north bank which was not expected. After discussion with the representatives of the Bihar Government, it has been decided that no actual construction work should be taken in hand at the Mokameh site until after the flood season of 1949 when it will be known more definitely whether the north or the south channel will have to be bridged. Meanwhile, the Bihar Government are understood to be carrying out investigations at the Patna site for the construction of a road bridge. Should this materialise, the bridge at Mokameh will only be for the Railway and not a rail-cum-road bridge. As has already been decided, the Government of India will be prepared to make a substantial financial contribution to the construction of a road bridge at Patna.

Yours sincerely,
N. Gopalaswami Ayyangar
Minister for Transport and Railways

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
New Delhi.

69. *From K. Santhanam*

D.O. No. E49AE-II-1

New Delhi
April 28, 1949

My dear Sir,

In continuation of my letter No. HMSR/468 dated the 28th December 1948, regarding Mr. E. Recardo, Chief Controller, O.T. Railway, Sonapur, I have had the case examined and find that Mr. Recardo, who was under suspension on account of his suspected complicity in a smuggling case, has now been acquitted by the Court and put back to duty. Although his career was rather uneven in its early stages, he appears to have settled down and his work is at present satisfactory. I shall see that he is not prejudiced by what he is said to have done during 1942.

Yours sincerely,
K. Santhanam
Minister of State, Transport & Railways

The Honourable Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

70. *From Sudhir Ghosh*

MINISTRY OF REHABILITATION

D.O. No. RHB-22(1)49

New Delhi
4th May 1949

My dear Babuji,

Many thanks for your letter dated the 18th April 1949 about the offer of service from social workers in Europe who belong to the organisation started by the late Dr. Pierre Ceresole. I have discussed this matter with H.M. Rehabilitation who has already written to you. We welcome these friends for the work in connection with the building of a township for 70,000 Bahawalpuri refugees at Rajpura. Amtus Salam and a number of other social workers are already in the field and are doing very valuable work and I am sure if these European friends join them they will be able to make a valuable contribution.

2. Could you possibly let us know what financial assistance these friends will require? If you have an idea of the amount of money necessary for this purpose we shall find means of securing it.

With kind regards,

Yours sincerely,
Sudhir Ghosh

The Hon'ble Dr. Rajendra Prasad
No. 1, Queen Victoria Road, New Delhi.

71. *To Sir N. Gopalaswami Ayyangar*

1 Queen Victoria Road
New Delhi
The 5th May 1949

Please accept my thanks for your D.O. letter No. HMT/129/49 dated the 20th April 1949 and the facilities you have provided for the transport of oilseeds for the Khadi Pratisthan, Sodepur, Calcutta.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sir N. Gopalaswami Ayyangar
Minister for Transport
Government of India.

72. *To Hiranand Karamchand*

1 Queen Victoria Road
New Delhi
8 May 1949

Dear Friend,

I have received your letter dated May 2, 1949. I do not know what exactly I could do in the matter. But I am writing to the authority concerned to expedite things. You understand my position. I am not in the Government and can at best draw their attention.

Yours faithfully,
Rajendra Prasad

Shri Hiranand Karamchand
Editor, The Hindustan
79-81 Meadows Street
Fort, Bombay-1.

73. *To Mohanlal Saksena*

1 Queen Victoria Road
New Delhi
8 May 1949

My dear Mohanlalji,

I am enclosing a letter and a cutting which I have received. If the scheme at Kandla has been sanctioned and if what is stated in the cutting is true, I hope steps will be taken to expedite the matter.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Mohanlal Saksena
Refugee Relief & Rehabilitation Minister
Government of India
New Delhi.

Enclosures not included.



Sucheta Kripalani and Nandita Kripalani singing the National Anthem at a session of the
Constituent Assembly on the 15th August 1947



S.N. Mukerjee (Jt. Secretary, Constituent Assembly), Dr. B.R. Ambedkar and Begam Aizaz Rasul

74. *To Rafi Ahmed Kidwai*

1 Queen Victoria Road
New Delhi
8th May 1949

My dear Kidwai Sahab,

May I draw your attention to a representation which has been made by Lt.-Commander S.D. Pandey, Chairman of the Pilani Flying Club, to the Director of Civil Aviation, Government of India, for financial aid to run the club on the basis of which it is given to other similar clubs in India? Pilani has now developed into a big educational centre with several colleges and a large body of students. They have secured necessary land for the aerodrome. It is a big centre to which students of practically all parts of the country come and the Club will serve a useful purpose. The representation was submitted to the Director-General on the 15th March 1948 and I believe they have given, along with the representation, the Memorandum and Articles of Association of the Flying Club and other necessary information. May I request you to kindly take interest in the matter and help.

Yours sincerely,
Rajendra Prasad

The Hon'ble Mr. Rafi Ahmed Kidwai
Minister for Communication
Government of India
New Delhi.

75. *From H.S.L. Polak*

49 Earls Avenue
Folkestone, Kent
May 8, 1949

My dear Dr. Rajendra Prasad,

It was a pleasure to hear from you again. I had been reading in the Indian papers something of your wanderings.

I am so sorry that my son was unable to contact you on his recent visit. He was unexpectedly detained in Bombay and so had to cut his tour rather badly. But he expects to go back for a longer period in the autumn, and as the formalities of admission to the Federal Court have been completed, he will have more time at his disposal both in Delhi and in the other places which, for lack of sufficient time, he had to omit on this occasion.

In a recent issue of *Harijan* I noticed that Kaka Kalelkar had been entrusted with the task of collecting items associated with Gandhiji for the Gandhi Memorial Museum. When Devadas was over here last year I gave him some such items for that purpose. They included the badge of the London Vegetarian Society which G. used to wear and which he gave to me. Dr. Josiah Oldfield, the first President of the Society, told me that G. had helped to design the badge; there was also the original cloth-covered copy, with G.'s own signature, of Arnold's 'Song Celestial', which we used to read together after dinner when I was a member of his household in Johannesburg; and there was also the original and certified copy of Ruskin's *Unto The Last*, which I lent him to read on the fateful journey from Johannesburg to Durban and which resulted in his adoption of the 'simple life', to which he refers in his Autobiography (which, you may be interested to know, has recently been reprinted and published here). Knowing of Devadas's busy activities, I am wondering whether he has remembered to pass these things on to the proper quarters. I shall be glad if you will make a discreet inquiry.

Have you yet had time to read the joint book, entitled *Mahatma Gandhi*, by myself, H.N. Brailsford, and Lord Pethick-Lawrence? If so, I shall be glad to know how the book strikes you. The authors had the misfortune to have to cut down their script by one-sixth after they had completed it — a very difficult task. In my own case, it compelled the omission of a good deal of descriptive and more personal matter. The publishers, Odhams Press, tell me that the book here has struck a bad market, for a number of reasons. I do hope that the book has a satisfactory sale in India.

With best wishes and trusting that you are not overtaxing your strength with your many activities,

Yours sincerely,
H.S.L. Polak

76. From Mohanlal Saksena

MINISTRY OF REHABILITATION

D.O. No. 135/PSMR

New Delhi
May 11/12, 1949

My dear Rajen Babu,

I have your letter dated 8th May 1949, regarding Kandla.

Unfortunately the question of Kandla has had to be considered by a number of Ministries and some amount of delay was, therefore, inevitable. For our part we

have tried our best to help the materialisation of this scheme as much as we could and you will be glad to hear that a loan of Rs.1,10,00,000 has been sanctioned. An intimation is being issued to Bhai Partap, the Managing Director of the Project.

Yours sincerely,
Mohanlal Saksena

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

77. To N.V. Gadgil

1 Queen Victoria Road
New Delhi
13th May 1949

My dear Gadgil,

Babu Jaleshwar Prasad, Chief Labour Commissioner, Government of India, has been staying with me ever since he came here in September last year. He has not yet got any quarters. We have managed so long because my family was away and he could not bring his family. Now both of us want to bring our families. So it is necessary that he should get a suitable accommodation. I understand that there is a house in Raisina Road, No. 3, very close to this house, which would suit him very well. I am told they are thinking of giving him accommodation on some flat but that would be inconvenient for people of our way of living and habits. Will you kindly consider his case and give him house No. 3 Raisina Road or any other independent self-contained house?

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri N.V. Gadgil.

78. To Mohanlal Saksena

1 Queen Victoria Road
New Delhi
13th May 1949

My dear Mohanlalji,

I have received the accompanying Memorandum containing certain decisions

taken by relief workers. I understand that a copy of it has been sent to you also. I shall be obliged if you let me know what action you propose to take in this connection. If necessary, and if you have any conference or meeting in this connection, I would gladly come over, if you want me.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Mohanlal Saksena
18 Akbar Road, New Delhi.

Enclosure not included.

79. From Dr. Syama Prasad Mookerjee

D.O. No. 123(59)-Tex.1/48

New Delhi
13th/14th May 1949

My dear Dr. Rajendra Prasad,

I enclose a note which my officers have prepared regarding a proposal made by the Constructive Programme Committee of the Bombay Provincial Congress Committee for the protection of genuine khadi by a procedure of certification and licensing of dealers. While it is certainly desirable that spurious material should not be allowed to be sold as khadi, I feel some doubt if measures suggested by the Bombay Committee are necessary or practicable and whether they may not react adversely on the development of the khadi industry.

I shall be thankful to have your considered opinion.

Yours sincerely,
Syama Prasad Mookerjee

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

Enclosure:

The Khaddar (Name Protection) Act, 1934, provides that the word 'Khaddar' will be a trade description within the meaning of the Indian Merchandise Marks Act and may only be used in relation to cloth woven on handlooms in India from cotton yarn handspun in India.

2. The Constructive Programme Committee of the Bombay Provincial Congress Committee feel that this is sufficient for the protection of the 'Khaddar' industry. In a letter to the Ministry of Commerce, they have made the following proposals:

- (a) that the trade description 'Khaddar' may only be used in relation to 'Khaddar' which is certified as such by the All-India Spinners' Association; and
- (b) that 'Khaddar' may be sold only by dealers who are certified or licensed by the All-India Spinners' Association.

3. The Ministry of Commerce consulted the Provincial Governments and the All-India Spinners' Association on this question. The All-India Spinners' Association has stated that they are not in a position to undertake the certification of 'Khaddar'. They are, however, willing to undertake the licensing of such 'Khaddar' dealers as they consider to be reliable. The All-India Spinners' Association does not think that any system of voluntary marking will serve the purpose. They are also of the opinion that the definition of 'Khaddar' should include handspun and handwoven silk and woollen textiles also. Of the Provincial Governments, only two have replied, namely, Madras and West Bengal. The Madras Government have replied that in Madras a large quantity of genuine 'Khaddar' is produced by organisations independent of the All-India Spinners' Association. The Madras Government have, therefore, introduced a system of licensing of 'Khaddar' dealers, but have exempted the All-India Spinners' Association from the licensing rules. The West Bengal Government are in favour of a system of voluntary marking on the lines of 'Agmark'.

4. The question for consideration is whether any attempt should be made to certify 'Khaddar' and to license 'Khaddar' dealers. While it is undoubtedly necessary to prevent cloth other than 'Khaddar' being sold under the false description of 'Khaddar', there is some doubt as to whether statutory licensing and certification at this stage will not affect the production of genuine 'Khaddar'. There is also some doubt as to whether it will be proper for Government to delegate powers of licensing to a non-Government organisation such as the All-India Spinners' Association.

5. A copy of the letter from the Chairman, Constructive Programme Committee, Bombay Provincial Congress Committee, is enclosed—also a copy of the Khaddar (Name Protection) Act, 1934.

K. Sen
Deputy Secretary
10.5.1949

80. *To Rafi Ahmed Kidwai*

1 Queen Victoria Road
New Delhi
14th May 1949

My dear Kidwai Saheb,

I am enclosing copy of an application which has been submitted to you by Shri H. Sen, Retired Superintendent of Telegraphs, Patna. He had prematurely to be retired as he was taken suddenly ill after donating his blood to a Blood Bank. He has now completely recovered. He also suffered heavy losses during the Calcutta riots in 1946. He had a uniform good record of work while in service and earned recognition and distinction in the service. A person like him deserves consideration and I hope the matter will receive your attention.

Yours sincerely,
Rajendra Prasad

The Hon'ble Mr. Rafi Ahmed Kidwai
Minister for Communication
Government of India
New Delhi.

Enclosure not included.

81. *From Mohd. Noman*

204-B, Frere Street
E.I. Lines
Karachi
The 16th May 1949

My dear Rajen Babu,

Being fully conscious of the heavy drain upon your time, I am approaching you with a request kindly to send me your impressions about Q.A. M.A. Jinnah. On the occasion of his first death anniversary I propose to bring out a book embodying the impressions of his many friends, with whom he had various political discussions and honest differences on constitutional issues.

As one in the forefront of India's struggle for independence you naturally had many occasions to examine and consider his various political moves. You have also expressed your views on different occasions about Mr. Jinnah's political demands.

I am approaching his friends in various countries to record their impressions and in so doing they are at perfect liberty to criticise his actions and policies. I do not want mere eulogistic contributions.

I am sure to have a response from you.

Yours sincerely,
Mohd. Noman

Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly
New Delhi.

82. *To Dr. Syama Prasad Mookerjee*

1 Queen Victoria Road
New Delhi
May 17, 1949

My dear Dr. Syama Prasad,

The other day I received a letter from the Secretary of the All-India Spinners' Association asking my opinion if he should join the All-India Cottage Industries Board and I have asked him to do so. I am informed, however, that on the terms of reference, the All-India Cottage Industries Board may consider the development of cottage industries only in so far as they supplement the production of large-scale factory industries. The All-India Spinners' Association and the All-India Village Industries Association have always claimed, and I agree with them, that instead of being handmaid to large-scale factories and supplementing their activities they should in their sphere have not only an independent position but the Government policy should be so framed as to help them in preference to factories. I will explain what I mean by an illustration. Railway freights are so fixed as to enable certain factories to get their raw materials at lower rates; for example, if oilseeds have to be transported from one place to another, the places where oil-mills are situated may have preferential freight whereas a village oil-man has to pay a very much higher freight for his oilseeds. According to the Village Industries Association the position should be reversed and, if for nothing else, at least as a protection the village oil-man should be able to get his raw materials cheaper than the oil-mill owner. I, therefore, sympathise with the view the All-India Village Industries Association have taken that unless the terms are varied so as to enable village industries to be developed freely irrespective of the effect that they may have on factories it would not serve any useful purpose for them to be on the Board. While I have advised the All-

India Spinners' Association to join the Board, I hope the question raised will receive your consideration and the terms will be altered so as to enable the Board to consider the question of developing cottage industries independently.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
Minister for Industries and Supplies
Government of India
New Delhi.

83. *To Dr. Syama Prasad Mookerjee*

1 Queen Victoria Road
New Delhi
17th May 1949

My dear Dr. Syama Prasad,

Please refer to your D.O. No. 123(59)-Tex-1/48 dated 13th/14th May 1949. I have gone through the letter of the Chairman of the Bombay Provincial Congress Constructive Committee and your office note thereon. It is true, as is pointed out in the letter of the Chairman, Bombay Provincial Congress Constructive Committee, that the Khaddar Act, as it is, cannot be effectively used for preventing its spurious dealers from passing other cloth than Khaddar for Khaddar. If it is necessary to prevent this, some system of licensing Khaddar dealers has to be evolved. The All-India Spinners' Association, although a non-Government body, has been carrying on a system of issuing certificates to Khaddar dealers under certain rules the underlying principles of which are (1) that cloth should be handwoven out of handspun yarn, (2) that there should be no profiteering in Khadi trade, and (3) that the spinners and weavers must get at least a minimum wage which at present is 6 annas per eight hours of efficient work. The Khadi-wearers have accepted the certificate of the All-India Spinners' Association and have their purchases from dealers certified by it and its certificate used to serve the purpose of preventing fraud but the position has changed now. The All-India Spinners' Association is a reliable non-political body although it was created by the Congress and can well be trusted to use the power of licensing, if given to it, with honesty. It has never certified Khadi because of the difficulty and the amount of work that it would involve to certify each piece as genuine but its inspectors inspect the work of production and satisfy themselves that the dealers sell only Khadi produced under their inspection. They therefore used to give licences to

dealers whose goods were accepted by the consumers of Khadi as genuine. I think it is only this kind of licensing which can be successful. As Khadi is produced in innumerable homes, it will not be possible except with the help of a vast organisation to certify each piece as it is produced and we can only license the dealers. I think, therefore, that the system of licensing should be continued and the power may be given by law to the All-India Spinners' Association as also to some Government agency as is done in Madras. In the latter case however it will be necessary to appoint a Licensing Board of persons who are well acquainted with the technique of Khadi production. It will also be necessary to ensure genuineness of the stuff sold not to license any dealer who sells any yarn or cloth other than handspun yarn and cloth woven on handlooms out of handspun yarn. The All-India Spinners' Association does not issue licences to anyone who sells any cloth or yarn other than genuine Khaddar or handspun yarn. It would, therefore, be necessary to prevent the use of the word 'Khaddar' by any other cloth seller in his vouchers, cash-books, on signboard or in any other way. I realise that there is a chance of any such measures reacting adversely on Khadi but genuine Khadi has to be protected for the sake of those who need it. Any other kind of cloth may sell and will sell but it should not pass as Khadi.

I also agree that Khadi should include not only handspun and handwoven cotton textile but also silk and wool, handspun and handwoven.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
Minister for Industry & Supply
Government of India
New Delhi.

84. *To Baldev Singh*

1 Queen Victoria Road
New Delhi
The 19th May 1949

My dear Sardar Baldev Singh,

I am enclosing a letter which I have received from Sri Ganesh Prasad Shahi, an advocate in the Patna High Court and an old friend of mine. His son Master Satyendra Mohan Shahi alias Sohan is a candidate for admission in the Royal

Indian Military College, Dehra Dun. The letter will speak for itself and I hope you will render such assistance as you can give him.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sardar Baldev Singh
Minister for Defence
Government of India
New Delhi.

Enclosure not included.

85. *From Dr. Syama Prasad Mookerjee*

New Delhi
19th May 1949

My dear Dr. Rajendra Prasad,

I have just received your letter about the Cottage Industries Board. There has been some misunderstanding on the subject. I had a talk with Dr. Kumarappa day before yesterday. I enclose a copy of the letter which I am addressing to him today. I gather he would be willing to join the Board and give us the benefit of his advice and cooperation.

Yours sincerely,
Syama Prasad Mookerjee

Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

Enclosure not included.

86. *To Mohd. Noman*

1 Queen Victoria Road
New Delhi
The 19th May 1949

My dear Mr. Noman,

I have received your letter dated the 16th May asking me to send my

impressions about Q.A. M.A. Jinnah. Apart from the fact that on account of the sittings of the Constituent Assembly which have commenced and which are likely to go on for a pretty long time and will keep me very busy, I am sorry it will not be possible for me to write as desired by you. My contacts with the Quaid-e-Azam were few and far between and I do not think I could contribute anything to the projected work. Hoping to be excused,

Yours sincerely,
Rajendra Prasad

Mohd. Noman, Esqr.
204-B, Frere Street, E.I. Lines
Karachi.

87. *From Shri Ram*

MINISTRY OF FOOD
(SUBSIDIARY FOOD PRODUCTION COMMITTEE)

Jamnagar House
New Delhi
20th May 1949

My dear Rajen Babu,

I am very sorry I could not personally see you before you left for Dehra Dun. As you know, the food situation in the country is very serious and the Government have for that purpose constituted a Subsidiary Food Production Committee with the object of supplementing the food supply of the country by encouraging the production and consumption of the same. With that end in view I am sending to you a very short note (which has been approved by Shri Jairamdas) so that at some stage in the session of the All India Congress Committee this idea may be conveyed to the members of the Committee.

You will appreciate that meeting the shortage of food is not merely the business of the Governments but of the 330 million people of the country. If everybody puts his shoulder to the scheme, there is no doubt that we could remove the shortage and bring down the prices of foodstuffs and thus the cost of living. I hope it will be possible for you to do something in the matter.

Thanking you in anticipation and with kindest regards,

Yours sincerely,
Shri Ram
Vice-Chairman

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

Enclosure:

The Government of India have already announced their policy of securing freedom from dependence on imports of foodgrains by the end of 1951 and they are taking necessary steps to achieve the object by intensifying the cultivation of foodgrains. We have to do all we can to reduce the distress and save the heavy drain on our resources. Indeed, the food situation in the country is so serious that we have to face it as we would face a war problem—as something which simply cannot be postponed and in which everyone has to contribute his bit. One highly effective method of helping to ease the situation would be to increase the cultivation of bananas, carrots, tapioca, potatoes, groundnuts and sweet potatoes, etc. They are all easy to grow; they give quick and heavy yields and their production will not only reduce our dependence on cereals but add elements of great nutritive value to our diet. If every cultivator in the rural areas, particularly within a radius of 15 or 20 miles of towns and cities where people are familiar with such foods, devotes even an additional 2 or 3 per cent of his land to these crops, he will find that their disposal and transport to the market will not present any difficulties and there will be no loss by wastage due to rotting and he will be helping materially in solving our food problem.

People in towns, particularly those who have gardens, big or small, should also consider it their sacred duty to grow as much of these crops as possible. They will be helping not only themselves but the country too and the Government in fighting the demon of food scarcity, high prices, high cost of living, and distress, particularly amongst lower middle classes.

88. *From C.N. Chandra*

MINISTRY OF REHABILITATION

D.O. No. 242/S

New Delhi
21st May 1949

My dear Dr. Rajendra Prasad,

I am desired by Shri Mohanlal Saksena to request you to attend a meeting of the Committee of the Cabinet for Rehabilitation to be held on Wednesday, the 25th May 1949, at 5 p.m. in the Committee room of the Ministry of External Affairs to discuss the question of rehabilitation of Meos in the Matsya Union.

A note on the above subject will follow.

Yours sincerely,
C.N. Chandra

Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

89. *From Willy Begert*

SERVICE CIVIL INTERNATIONAL

International Secretariat
9 Guy de la Brosse
Paris-5
May 21, 1949

Dear Mr. Rajendra Prasad,

Thank you very much indeed for your letter of April 18. We were very encouraged by it. Since then we have had our International Delegates Meeting at which we decided that we would do our best to be able, in autumn, to send 4 to 8 experienced volunteers to India. For the time being our British branch was asked to go ahead with the necessary preparations and no doubt Mr. Derek Edwards, our British General Secretary, who is already in touch with Horace Alexander, will also get in touch with you to tell you in more details about our plans. We shall certainly keep you informed as to what progress we are making in the preparations and shall not fail to contact you, Horace Alexander, and later probably members of the Government in order to discuss all the details of the planned work.

Yours very sincerely,
Willy Begert

90. *From E.C. Donoghue*

GOVERNMENT OF INDIA
(CABINET SECRETARIAT)

IMMEDIATE/SECRET

No. 243/CF/48

New Delhi
The 23rd May 1949

The Joint Secretary to the Cabinet presents his compliments to Hon'ble Dr. Rajendra Prasad, and is directed to request that he will attend a meeting of the Committee of the Cabinet for Rehabilitation to be held at 5 p.m. on Wednesday, the 25th May 1949, in the Ministry of External Affairs Committee Room, to discuss the following:

Subject:

Rehabilitation of Meos in the Matsya Union. (Papers will follow.)

E.C. Donoghue
for Joint Secretary to the Cabinet

Hon'ble Dr. Rajendra Prasad.

91. *From Jawaharlal Nehru*

No. 539-P.M.

New Delhi
24th May 1949

My dear President,

It appears to be taken for granted by some people that the Indian Republic will be proclaimed on August 15th. Personally I rather doubt both the feasibility and desirability of choosing that date. I hope that we may be able to finish the consideration of the Constitution and pass it finally by sometime in July. That Constitution will have to contain some transitional clauses and much will depend on the nature of these clauses. I think we should give a sufficient margin after that to allow us to do things properly. Thus the date to be fixed should be sometime ahead.

It is clear that the full implementation of the new Constitution can only take place after the new elections etc. are over. These elections cannot take place, at the earliest, before the winter of 1950-51. We can hardly wait till then for the proclamation of the Indian Republic. Therefore some date will have to be fixed, much earlier than that when the Republic is proclaimed in accordance with certain transitional clauses passed by the Constitution. What that date should be is a matter for us to consider and will depend on the nature of the steps to be taken by us as laid down in the transitional clauses.

From many points of view, a very suitable date would be January 26th. The only thing that can be said against it is that it is too far off. Some other earlier date may be chosen, but I rather doubt if it can be much earlier than October.

I have referred to the transitional clauses etc. Is it not desirable for thought to be given to them from now onwards? The Drafting Committee may do it or some other Committee. There is no immediate hurry. The matter should not be left till the last stages.

According to newspaper reports you have said that it will be fit and proper that our original Constitution should be passed in Hindi. There can be little doubt that this would be a desirable thing to do. I feel however that this will be exceedingly difficult within the time allotted or indeed within any reasonable

time. We have passed the Constitution clause by clause after much argument not only about general policies but also about words and phrases. Necessarily this had to be so because the Constitution has to be precise. If we try to pass a Hindi translation of this Constitution, we can hardly do so en bloc or as a whole. We shall have to go through the same process of clause-by-clause consideration and I have little doubt that there would be a great deal of argument about innumerable words and phrases, both from the linguistic and other points of view. The matter will drag on for months and probably give rise to a great deal of excitement.

As a matter of fact the question of a Hindi translation itself has not been finally decided. Various translations were made, completely differing from each other. Then you appointed a Committee to co-ordinate them. That Committee, I understand, is proceeding with this task, but meanwhile one member of that Committee, in presenting a certain viewpoint, has apparently resigned because he felt that the approach of this Committee was not in accordance with the directions that you gave. These directions were that the language should be precise and simple and, as far as possible, understood by most people. I believe that the Committee has accepted as a basis for discussion one of the Hindi translations which, according to some people, is very difficult to understand, lacking in precision, and is not even good Hindi. All these difficult questions have to be solved and I do not see how they can be solved in a way so as to produce a translation which can become the original of our Constitution in the course of the next two or three months.

As a matter of fact, the translation cannot be finalised till the English original has been finalised by the Constituent Assembly. That is to say, it is only after the Constitution has been passed in English that the Hindi translation can be finalised. Then will come the question of vetting this Constitution by the Constituent Assembly. That will take a lot of time.

It seems to me that the only feasible course is for the Constitution to be passed in English by the Constituent Assembly and to be adopted as such. Then the Hindi translation is proceeded with, first by an Expert Committee (non-members of the Constituent Assembly), secondly by a Committee of the Constituent Assembly. They should take some time over it so that the work might be done well and not rushed through. The matter is too important to be dealt with casually. When the Hindi translation is finalised, this can also be adopted as original text by the C.A.

I am putting forward these thoughts just for your consideration.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
New Delhi.

92. To Rajkumari Amrit Kaur

1 Queen Victoria Road
New Delhi
The 24th May 1949

My dear Rajkumariji,

May I seek your assistance in getting one Biharilal Shrivastawa, an Upper Division Clerk in the office of the D.A.G., I. & S., who has been suffering from tuberculosis admitted in the Lady Linlithgow Sanatorium, Kasauli, in one of the beds reserved for the employees of the Central Government in the Civil and Defence Departments? The case has been examined by competent authorities in New Delhi and a certificate has been issued by the Civil Surgeon, Willingdon Hospital, to the effect that it is a suitable case for sanatorium line of treatment. He has recommended immediate admission. I shall be obliged if you help the young man as it is a deserving case and known to me. I am enclosing copy of a petition which he has addressed to the Superintendent, Lady Linlithgow Sanatorium, and a copy of the Certificate of the Civil Surgeon and the report of the X-ray examination.

Yours sincerely,
Rajendra Prasad

Rajkumari Amrit Kaur
New Delhi.

Enclosure not included.

93. To H.S.L. Polak

1 Queen Victoria Road
New Delhi
The 25th May 1949

My dear Mr. Polak,

I received your letter dated the 8th May 1949 and put myself in touch with Sri Devadas Gandhi. I am sorry to report that *Song Celestial* was stolen from his kit when he was returning from London. The other things, namely, the badge of the London Vegetarian Society, copy of the *Unto The Last* and a number of books with Bapu's initials he has brought and he is keeping in safe custody. Devadas is naturally sorry for the loss and has, I believe, already written to you.

I have secured a copy of the book *Mahatma Gandhi* and have gone through only the portion written by you. That is very well written. I have not been able yet to read the rest of it.

The declaration adopted at the Prime Ministers' Conference came for discussion on the opening day of the Constituent Assembly and was adopted after two days' discussion. It came up also for discussion at a meeting of the All India Congress Committee and there also it was passed. In both the cases there was some difference of opinion but the overwhelming majority accepted it.

Yours sincerely,
Rajendra Prasad

H.S.L. Polak, Esqr.
49 Earls Avenue
Folkestone, Kent
England.

94. *From J.J. Singh*

14 East 56th Street
New York 22, N.Y.
May 27, 1949

Dear Rajendra Prasadji,

Your letter of March 12, 1949, was handed over to me the other day by Dr. S.N. Agarwal.

I was very glad to learn from Dr. Agarwal that your health has greatly improved. I remember that the last time I saw you in New Delhi, your asthma was bothering you quite a bit.

The other day we arranged a dinner for Dr. and Mrs. Agarwal, along with Manilal Gandhi. This afforded them the opportunity of meeting several Indian and American friends, which is keeping them fully occupied.

Hoping that this letter will find you in excellent health, and with my best personal regards,

Sincerely yours,
J.J. Singh

Dr. Rajendra Prasad
President, Constituent Assembly
New Delhi, India.

95. *From Bhuwaneshwari Prasad Sinha*

PERSONAL

69 Woodlands Avenue
East Orange, New Jersey
U.S.A.
May 28, 1949

Respected Sir,

By your kind blessings, backing and support, I have completed the Master of Science degree course with double majors — one in School Administration and the other in Health and Physical Education. The degree has been awarded to me on May 22, 1949. H.E. Frank Carlson, the Governor of Kansas State, addressed our Degree Convocation. In B.Sc. and M.Sc. courses I have been awarded several gold medals and letters in appreciation of my work. Outside my college hours I received military training from November 1, 1948, till May 23, 1949. I also completed a course in American Scouting. You already know that I was awarded a Fellowship of \$500 dollars (about Rs.1,700) in M.Sc.

You also know that I completed (4 years') B.Sc. in TEN months only with a scholarship of \$535.25 dollars (about Rs.1,800). Outside my college hours (along with my B.Sc. course) I completed a course in Corrective and Remedial Exercises (to cure diseases) for Atypical Children and a course in Senior Life Saving and Water Safety. (I completed both B.Sc and M.Sc. courses in about 1¾ years, i.e., in 23 months.)

Besides, I have been enrolled as a member of the (i) Association for Health and Physical Education, New Jersey, and (ii) the International House, New York.

I left Emporia, Kansas, and arrived at New York Port. I am sailing today by ss. "FLYING CLIPPER" freighter (cargo ship) and expect to reach Bombay by the end of June 1949. (My passage has been booked through Thos. Cook & Son, 587 Fifth Avenue, New York-17, U.S.A.)

I do not know yet in what capacity my services will be utilised by the Government of Bihar on my return to India, but I do hope that due to your kind patronage I may get a decent post in Class I. In U.S.A. many States have posts of Directors of Health, Physical Education, Recreation and Safety. As I have completed courses in B.Sc. as well as in M.Sc., in those broad topics, I hope that I shall be able to render my services to the Government of Bihar or India in those fields. Besides, as I have completed M.Sc. with double majors in School Administration and in Health and Physical Education, I may be able to render my service in both General Education as well as in technical Health and Physical Education. On account of my receiving military training I may be of use and help to our Government in the organisation of the National (military) Training Corps or similar type of other military work.

I am very much grateful to you and also to the Government of Bihar for giving

me financial help but, however, I feel that in spite of my hard work and above-mentioned achievements in U.S.A. the Government of Bihar did not take into consideration my full merits and that they did not give me the same amount of money and similar facilities which were given to other scholars of Bihar. I have not been paid even the price of books, clothes, cost of my study-tours, and my return journey expenses. My application dated 10th January 1949 has been rejected by the Ed. Dept. of Bihar Govt. So I had to sell several of my belongings and to borrow money to meet the expenses of my return journey, which will amount to about Rs.2,500.

Sir, as I have completed my higher education due to your kind backing, I hope you will be pleased to help me now so that I may get a decent post in Class I either under Bihar or India Government, and also at least my return journey expenses in order to pay off my debts.

With my most grateful thanks and sincerest regards,

Most gratefully & respectfully yours,
Bhuwaneshwari Prasad Sinha

96. *To K.C. Neogy*

1 Queen Victoria Road
New Delhi
The 28th May 1949

My dear Kshitish Babu,

May I introduce to you Shri Anand Mohan Sahay? He was for over a quarter of a century in Japan where he had been doing apart from his own business much work on behalf of India. During the war period he joined Netaji Subhas Chandra Bose and was Secretary of his Government when it was established in Burma. He lost much in Japan and since his return to India has had no means of making a living. He has some property still in Japan but I do not know when, if ever, he will be able to get anything out of it. I have known him since 1920 when he was a student and joined the first non-cooperation movement. We worked together for years before he went away to Japan. He is well connected, having married the daughter of Shri Urmila Devi, the sister of Deshbandhu Das. He has found an opening in Japan which he will explain to you. He can take advantage of it only if you help him. I will be therefore obliged if you kindly give him a little time and do what you can to help him.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri K.C. Neogy
Minister of Commerce
Government of India
New Delhi.

97. *To Mohanlal Saksena*

1 Queen Victoria Road
New Delhi
The 28th May 1949

My dear Mohanlalji,

I wrote to you sometime ago about a proposal that some members of the Service Civil International, an organisation whose members devote themselves to social welfare work, would come and help in the rehabilitation work. I have now received a letter from its Secretary that they will be able to send 4 to 8 experienced volunteers to India in autumn and they have already started preparations for it. The British General Secretary of the organisation, Mr. Derek Edwards, is in charge of the preparation. You wrote to me that you would welcome the help and cooperation. I shall keep you informed of further developments in the matter.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Mohanlal Saksena
Minister of Relief and Rehabilitation
Government of India
New Delhi.

98. *To Baron Allard*

1 Queen Victoria Road
New Delhi (India)
28th May 1949

Dear Friend,

I have received your letter dated the 2nd April 1949* and I am glad to learn that the "Stop War" movement is laying stress on the teachings of Mahatma Gandhi and propagating the cult of non-violence. I am aware that Romain Rolland did a lot to spread Mahatma Gandhi's teachings in Europe, particularly in France.

Yours sincerely,
Rajendra Prasad

Baron Allard
16 Grand' Place, Bruxelles.

*See Baron Allard's letter addressed to Gandhi Memorial Fund, dated 2 April 1949, in Correspondence—Part II.

99. To Dr. B.R. Ambedkar

New Delhi
The 28th May 1949

My dear Dr. Ambedkar,

I am enclosing copy of a letter which I have received from the Prime Minister.* The Drafting Committee will be particularly interested in the first four paragraphs of it. I should like to have an opportunity of meeting the members of the Drafting Committee to discuss the points raised therein. The other paragraphs also deserve consideration and I would like to have a talk on that also.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. B.R. Ambedkar
Chairman, Drafting Committee
New Delhi.

*See Jawaharlal Nehru's letter dated 24 May 1949 to Dr. Rajendra Prasad.

100. From Foreign Secretary, Ministry of External Affairs

MINISTRY OF EXTERNAL AFFAIRS

New Delhi
May 29, 1949

My dear Dr. Rajendra Prasad,

The Prime Minister has asked me to acknowledge receipt of your letter to him of the 25th May, regarding certain Indian tapestries, images and manuscripts in Tibet. We shall do all we can to persuade the authorities concerned to preserve them. I have myself seen evidence of Tungan bigotry during my tour through Sinkiang (Chinese Turkestan) where the images in some caves on the Ajanta model were ruthlessly destroyed or mutilated by them.

With kind regards,

Yours sincerely,
(Sd.) *Illegible*
Foreign Secretary

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
New Delhi.

101. *From Frances Standenath*

Graz (Styria)
Austria
30th May 1949

Dear Sir, dearest brother Rajendrabhai!

I thank you heartily for your kind letter of 6th April I got in these days. I hope you now in a good state of your health. Had you pains with the eyes like during your staying at Graz?

I thank you very much for your giving me the advice to read Bapu's weekly paper published at Ahmedabad by Syt. Kishorlal Mashruwala. But having no address I beg you to forward my letter enclosed herein.

I shall suffer from the blow having lost Bapuji, and often I cannot believe that I can no more hear his voice and listen to his words. I still am very sorry since this time. I send you my heartiest wishes and regards.

Yours sincerely,
सावित्री
(Frances Standenath)

Syt. Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

Enclosure not included.

102. *From H.V.R. Iengar*

No. 304/49-P.S.

New Delhi
May 31, 1949

Dear Dr. Rajendra Prasad,

This is in reply to your letter of this morning regarding Arun Chandra Narang. We made no report against him, neither did the Intelligence Bureau. The fact that he was at Dehra Dun and not at Poona does not make any difference from this point of view. I suggest on the whole that it might be best to contact Sardar Baldev Singh.

Yours sincerely,
H.V.R. Iengar

The Hon'ble Dr. Rajendra Prasad.

103. *From H.V.R. Iengar*

No. 305/49-P.S.

New Delhi
May 31, 1949

Dear Dr. Rajendra Prasad,

I much regret that I was unable yesterday to attend the meeting of the Standing Finance Committee as I had an important conference at the same time with Mr. Daphtary in connection with the Mahatma Gandhi Assassination Case.

2. A deputation of some members of the staff of the Constituent Assembly Secretariat called on me this morning and expressed great concern at certain orders which, they understood, you were proposing to issue regarding the reversion to their parent offices of those who had a permanent lien on some post or other. I told them that I have not yet seen the minutes and I do not know what exactly has been proposed. This is just a line to say that I shall be most grateful if I could be given an opportunity of commenting on the proposals before final orders are passed.

Yours sincerely,
H.V.R. Iengar

The Hon'ble Dr. Rajendra Prasad.

104. *From Louis Fischer*

237 Madison Avenue
New York 16
June 1, 1949

Dear Rajendra Prasad,

Greetings and best wishes.

I have hesitated to write because I have heard that your health was bad and I know that you are always busy. But yesterday Devadas Gandhi told me to write nevertheless.

You may recall that I visited you last summer. I was collecting material in India for a biography of Gandhiji. I have now reached Champaran, in 1917. Here I need some enlightenment.

Bapu's Autobiography affords very meagre data on the economic basis of the Champaran struggle. I have found additional information in your contribution and that of Rev. Hodge in *Incidents of Gandhiji's Life*. But some questions remain.

How big were the average peasants' holdings and what did they plant on the seventeen-twentieths not sown with indigo? How many peasants, approximately, were involved in the *tinkatia* system; were there hundreds of thousands or tens of thousands? Why did the peasants sign the agreements with the planters to pay for being released from the *tinkatia* system? Didn't they know of the discovery of synthetic indigo? (Hodge speaks of this.) How many peasants signed and how many paid? How much did they pay the landlords? All this in approximate figures, of course.

You write that the planters have left Champaran. Was this because the synthetic indigo had ruined them? Was there some other cause? Is indigo still being grown in the district?

Did Bapu's visit have any permanent effect on the villages he worked in?

I do not understand your treatment of the 'enhancement'. Just what happened. That is on page 270 of 'Incidents'.

I hope you will pardon this intrusion on your life. Perhaps a secretary can help prepare the reply. Whatever you write me will help in my book on Bapu.

Have you any letters from Bapu that go back to 1917 or later which would throw light on his personality in that period? I will carefully return originals. I have already done so with a number of letters which have reached me from India.

With best wishes,

Respectfully,
Louis Fischer

105. To H.V.R. Iengar

1 Queen Victoria Road
New Delhi
2nd June 1949

Dear Shri Iengar,

I have your letter dated the 31st May and I thank you for it. I am afraid there has been some misunderstanding. Shri Mukerjee, the Joint Secretary, also told me that what I said had not been properly understood. On my explaining to him my viewpoint he was satisfied and gave me to understand that he would explain the position to the members of the staff. I will certainly consult you before passing any orders.

Yours sincerely,
Rajendra Prasad

Shri H.V.R. Iengar
Room No. 84, Kennedy House
Simla.

106. From S.D. Bailey

THE HANSARD SOCIETY

162 Buckingham Palace Road
London, S.W. 1
2nd June 1949

Dear Dr. Prasad,

I have written to you previously an airletter about the possibility of doing an article for *Parliamentary Affairs* on the new Indian Constitution. I had a word with Agatha Harrison about this yesterday, and she suggested that I should write to you again. In previous issues of our journal we have covered the parliamentary systems of the other Commonwealth countries, and I am most anxious to complete the picture with an authoritative article on India. I know, of course, how busy you are, but I think I can assure you that the work involved would be well worth while as our journal goes all over the world. I hope you will agree to write something, even if it is not as long as I originally suggested.

Yours sincerely,
S.D. Bailey
Assistant Director

Dr. Rajendra Prasad
President, Constituent Assembly
New Delhi, India.

107. From H.S.L. Polak

PERSONAL

49 Earls Avenue
Folkestone, Kent
June 2, 1949

My dear Dr. Rajendra Prasad,

It was nice to hear from you again so soon. I hope that you are quite well, and not too tired with all the work that you are engaged upon.

Yes, Devadas did write to tell me of the loss of the copy (signed by M.K.G.) of the *Song Célestial*, apparently through theft on board his steamer. It is very disappointing that this should apparently be the end of a treasure that I had kept for the G. Memorial Museum all these years! But, as Devadas says, it is just possible that a miracle may happen and the book turn up again. He has sent me a

copy of the illustrated catalogue of the recent exhibition of Gandhi articles in which some of the items that I had given him appeared.

I am so glad that you liked my part of the *Mahatma Gandhi* book. It would have been still more readable and interesting had we not been obliged to cut down so heavily after all was written.

I was very pleased to see that the declaration adopted at the Prime Ministers' Conference was accepted by so large a majority both of the All India Congress Committee and by the Constituent Assembly. By the way, I have noted with much admiration the heavy and excellent work that Ambedkar has put into the drafting of the Constitution.

Is there any likelihood of your coming over here on a visit presently? You will be very welcome. I recall the last occasion when you were over here.

By the way, I wonder if you could put in a word with whoever may be concerned. When the new Constitution is passed and is in operation, there will still be a number of appeals pending in the Privy Council. I do hope that they will not be recalled to India for hearing in the Supreme Court. It would mean that a number of the litigants, who have been put to heavy expense already, would not be able to afford the further expense of a hearing in the Supreme Court. In almost all the pending cases, solicitors' costs have been incurred under the P.C. rules, as well as much of the Counsels' charges and P.C. Office fees, none of which could be refunded. The result in many cases would, in effect, be a denial of justice to the litigants. Something should be done to let these appeals be completed here and the Orders in Council become operative in India in due course. I am not sure that the Government of India's legal advisers are fully aware of these consequences, since they do not know the practical working in connection with these appeals. Do forgive my troubling you with these matters, but I think that a personal reference from you would be better than any approach from me.

With kind regards,

Yours sincerely,
H.S.L. Polak

108. *To Jawaharlal Nehru*

3 June 1949

My dear Prime Minister,

Please refer to your letter No. 539 dated the 24th May 1949. Although the Constituent Assembly is making fairly rapid progress with the articles of the Draft Constitution it is difficult to forecast when we will be able to complete consideration of the whole draft. But if things go on as they are doing at present we may hope to be able to complete the 2nd reading which we are going through at present by the end of July at the latest, if not earlier. We shall then require some

time for putting the draft in form for final consideration at the third reading. Thereafter there will have to be an adjournment for at least a fortnight or three weeks if not more before the third reading commences. That might take a week or ten days. It therefore does not look possible that we would finalise the Constitution before the 15th August. There will have to be certain steps to be taken before the Constitution actually comes into force. I have placed your letter before the Drafting Committee and the matter is under investigation. I would write to you again about these steps prior to the enforcement of the Constitution which will be considered necessary after the matter has been considered by the Drafting Committee. It has been suggested in some quarters, however, that we should be able to get through these preliminaries by about the end of September and the 2nd of October will be a suitable date for bringing the Constitution into force but this of course is only a suggestion and its feasibility can be decided only after the investigation which is being made is completed.

As regards the Hindi version of the Constitution, I realise the difficulties which you have mentioned. There is also the time factor which cannot be ignored. I am thinking of following something like the procedure indicated below in this connection. The Expert Committee is revising the translation and I propose to ask the House to appoint a Committee of its own to consider the translation prepared by the Expert Committee. When some progress has been made we might ask the House to set apart, say, one day in the week to consider the Hindi version as revised by the Committee of the House and pass the translation article by article. As there will not be any amendments on the substance of the article and the discussion will be confined only to the language which will have been vetted by the Committee of the House, it may be hoped that the House would go fairly quickly over the translated version. The idea is therefore as far as possible to pass the English draft as also the Indian version of it more or less simultaneously, if possible. But as I have said the time factor will be very important in following this course, and if it is found that the Indian version is likely to take more time than I have anticipated, then it may have to be held over for consideration by the Assembly after the English draft has been finalised.

I have said it in the House that I would like to have our Constitution in our own language. Since the draft has been prepared in English, the English version will have of course to be given the status of the authoritative version of the Constitution. With regard to the Indian version we may give it also authority but subject to this limitation that in case of conflict the English version will be treated as the authoritative version for the first, say, 10 or 15 years. We might also make the Indian version liable to amendment by an easier process so as to bring it into conformity with the English version within this period and after that the Indian version might be made the authoritative version or at least of equal authority with the English version. I am suggesting this course because within 10 or 15 years the Indian version may become crystallised and the language also may become current in our political parlance. Within this period I anticipate the language used in the centre will become more and more Hindi or Hindustani and people

from the South will get an opportunity of adjusting themselves. Easy method of amendment will enable the language of the Hindi version to be altered and improved within this period. In Ireland I have noticed that they have had many amendments to the Irish version without corresponding amendments of the Constitution in English, which indicates that there also the question of language has presented similar problems and the solution has been the same as I have suggested above. I propose to have a note prepared on these lines for the consideration of the Steering Committee sometime next week. In case you have any suggestion in this connection I shall have that also incorporated in the note.

Yours sincerely,
Rajendra Prasad

The Hon'ble Pandit Jawaharlal Nehru
Prime Minister of India
New Delhi.

109. *From Jawaharlal Nehru*

No. 664-P.M.

New Delhi
June 5, 1949

My dear President,

Thank you for your letter of June 4th. As regards the procedure you suggest, I take it that we are going on from day to day till we complete the present consideration of the Draft Constitution, probably by the end of July. I do hope that there is going to be no gap period and any recess before then. In effect I take it that the Constitution will be passed subject to verbal changes, arrangement, drafting, etc. I imagine that this business of careful drafting will take much more than two or three weeks. It may take at least six weeks or even two months. After the final passing of it at what is called the third reading, we have to consider the date for its being put into practice. I do not myself see how this can be much earlier than November. I take it that if the Assembly meets for the last time for the third reading, it will take a few days and the date we fix must be some distance ahead to allow for various preparations to be made. If the date falls somewhere in November or December, then probably it will be suitable to fix the 26th January, which is from every point of view an auspicious day. However, this can only be considered after we have finished the second reading and know exactly where we are.

As regards the adoption of a Hindi version of the Constitution, I confess, I rather doubt the feasibility of the proposal you make, that is that a day in the

week should be set aside for considering the Hindi version. Apart from this delaying the consideration of the English draft, I am sure this consideration of the Hindi translation will be no simple matter and will give rise to fierce argument at every step and on almost every word. It will thus tend to raise passions which will be reflected in the consideration of the English version and delay matters there. Looking at the Hindi version as originally prepared, I am completely at sea because I do not understand it at all.

I think it is inevitable that the English Constitution should be considered the authoritative one. Many years after, the Hindi version may have equal or greater authority. You mention the case of Ireland. I might inform you that I had a talk about this with the Prime Minister of Ireland and he told me that they found it very difficult to carry on with Gaelic and were reverting more and more to English. In fact they had always used far more English than Gaelic. During my stay in Dublin, I visited the Dail. Every speech and question was in English, as well as the answer. Formally by law they have named their country now Ireland and not Eire.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
1 Queen Victoria Road, New Delhi.

110. *From Vishva Bandhu Shastri*

THE VISHVESHVARANAND VEDIC RESEARCH INSTITUTE

No. 3128

Sadhu Ashram
Hoshiarpur
June 7, 1949

My dear Doctor Sahib,

I believe that my letter of April 21 in reference to your kind letter of April 18 as well as my letter of May 13 duly reached your hands and you have since been able to do the needful in the matter.

I understand from the latest communication from the Education Ministry that they probably contemplate extending some additional help to the institute which falls *too short* of our demand. I have therefore addressed another letter to them and in enclosing herewith a copy of the same for your kind information, I feel that I cannot do without seeking your further help in the matter at this juncture.

For, I do not find myself equal to the task of carrying on the work without *proper* financial backing by our National Government.

After the Partition, I stuck to Lahore for about six months as I felt that my vast research materials belonged to the Indian Nation and I must not cross the border before seeing that the last paper had been successfully *smuggled out* and reached the sacred soil of India. And now if the Nation do not find it feasible to let me work on these materials *with perfect freedom from financial worry*, I would rather prefer that they take over from me the charge of these huge piles and do what they like with them.

I do hope that you will kindly excuse me for the above somewhat emotional expression and oblige me by kindly interceding *immediately*, for it is just the proper moment for it.

With kind regards,

Yours sincerely,
Vishva Bandhu Shastri
Hon. Director

The Hon'ble Dr. Rajendra Prasadji
1 Queen Victoria Road
New Delhi.

Enclosure:

(Copy of D.O. No. 3120 dated 6-6-1949 from Shri Vishva Bandhu Shastri, M.A., M.O.L., Hon. Director, V.V.R. Institute, Sadhu Ashram, Hoshiarpur, to Shri M.N. Masud Sahib, Private Secretary to the Hon'ble Maulana Dr. A. Azad, Ministry of Education, Government of India, New Delhi)

Many thanks for your kind and reassuring letter of May 18 as well as for one dated May 19 which you wrote to Shrimati Rameshwari Nehru on the same subject and which she has since passed on to me in original.

I am extremely thankful to the Hon'ble Maulana Sahib in that he "wants to help the institute in order that the work which it has undertaken may be carried on" and, also, for the great effort that the Ministry is making to see that the work of the Institute "does not suffer for lack of funds".

I quite appreciate the difficulty of the Ministry in that they have not been provided with funds fully commensurate with their requirement during the *current financial year*. Indeed, when our deputation waited upon the Hon'ble Maulana Sahib in January last, he clearly referred to this aspect of the matter, but still was pleased to extend the kind and full assurance that the work of the Institute would *in no case be permitted to suffer for lack of funds*. It was in this context that it was submitted to him that the running expenses of the Institute would approximate Rs.1,00,000 per annum as they did at Lahore, but that the

work could be continued if the Central Exchequer subsidised it even to the extent of Rs.50,000 per annum, for, in that case, it was hoped that the Provinces might extend their help towards fulfilment of the remaining need.

Therefore, it will be highly appreciated if the Ministry be pleased to treat our case as a very special one for a period of *at least ten years* during which the aforesaid financial facility may kindly be extended to us. Otherwise, it is feared that it may not be practicable fully to reorganise the institute and, thereby, to exploit the huge research materials compiled during the past quarter of a century and to see to the end of the Herculean undertaking which, as patent from the Paris Congress resolution, the entire world of Oriental Scholarship is so keenly interested in seeing duly completed.

I am deeply grateful to the Hon'ble Maulana Sahib and his Secretariat for the great interest being taken in the matter and feel confident that *at a very early date* final decision will be taken to the maximum possible benefit of this great cultural cause.

111. *From K. Santhanam*

New Delhi
7th June 1949

My dear Sir,

As I was absent on tour, I regret there has been some delay in taking action on your suggestion regarding passes of Sjt. Vinoba Bhave and Sjt. Kaka Kalelkar.

We have decided to issue the passes to both. Kindly let me know the addresses to which the passes have to be sent. I would also like to know if it will be sufficient if the pass provides for I Class accommodation for the holder with two servants or assistants accompanying him in Class III. These are the usual conditions under which passes are issued; but if you want any different arrangement, I shall consider it.

With high regards,

Yours sincerely,
K. Santhanam
Minister of State, Transport & Railways

The Hon'ble Dr. Rajendra Prasad
New Delhi.

112. *From Mohanlal Saksena*GOVERNMENT OF INDIA
(MINISTRY OF REHABILITATION)

D.O. No. 1445/PSMR

New Delhi
June 8th, 1949

My dear Rajen Babu,

This is to request you to perform the opening ceremony of the Shopping Centre at New Delhi Northern Extension Colony, on Thursday the 30th June 1949, at 6.30 p.m. This was the first Housing Colony sponsored by the Ministry and its foundation stone was laid by Pandit Nehru on 7th July 1948.

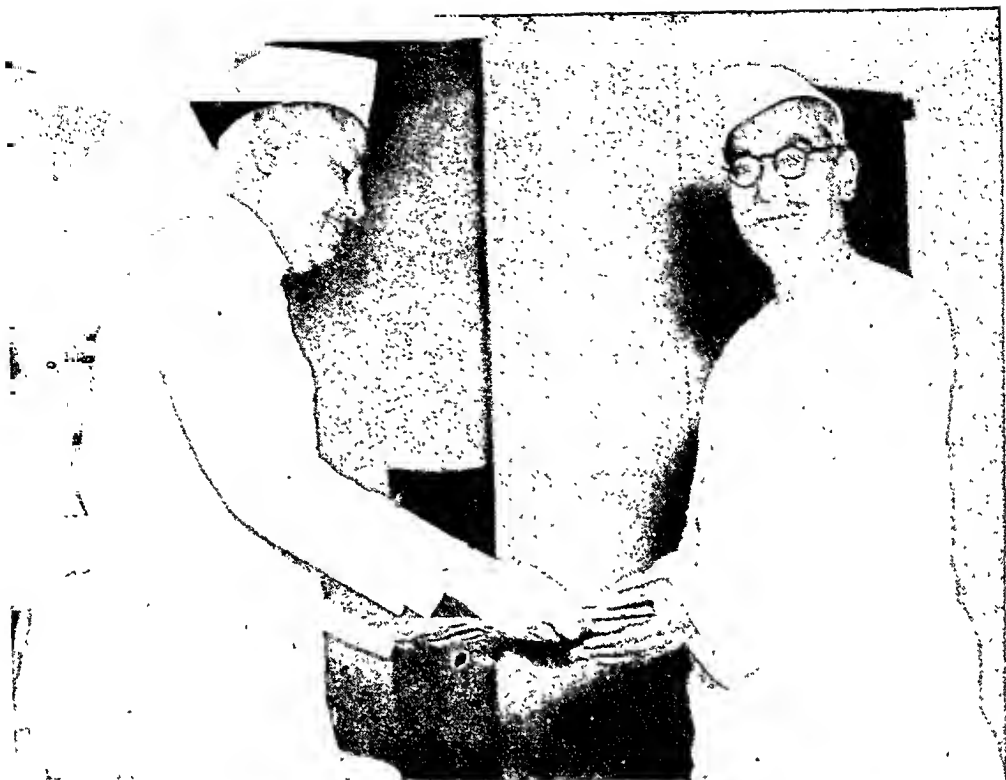
I hope you will find time to perform the Opening Ceremony.

Yours sincerely,
Mohanlal SaksenaThe Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.113. *To the General Secretary, Natal Indian Congress*1 Queen Victoria Road
New Delhi
10th June 1949

Dear Sir,

It is now evident that South Africa's policy of racial discrimination is basically responsible for the recent riots in Durban. The Fascist doctrine of race hatred which the Malan Government openly professes is likely to embitter further the relations between the different races inhabiting South Africa. The Indian community, therefore, should be on guard lest conflict with the native population should strengthen the hands of the European reactionaries. It is clear by now that only a united stand by the coloured population in South Africa can foil Malan's game. I hope that the Natal Provincial Conference meeting on June 24 would pay due attention to this unity between the Indians and natives. I send my best wishes for the success of your conference.

Yours faithfully,
Rajendra PrasadThe General Secretary
Natal Indian Congress
Post Box No. 2299, Durban
South Africa.



Kasturbhai Lalbhai, Chairman of the Industrial Committee of the Mahatma Gandhi Memorial Fund, presenting cheques of the value of over Rs. 5 crores to Dr. Rajendra Prasad, Chairman of the Fund, at a ceremony held at New Delhi on 16 April 1949



Mahatma Gandhi with Vallabhbhai Patel and J.B. Kripalani at a session of Ramgarh Congress

114. To Vallabhbhai Patel

I Queen Victoria Road
New Delhi
11 June 1949

My dear Vallabhbhai,

Two days ago Satyanarayan Babu conveyed to me your message suggesting that I should issue a statement contradicting what has appeared in the *Blitz* and other papers. It is just today that I have been able to get hold of a copy of it and taken note of it. I met Rajaji day before yesterday. He told me the same thing. I readily agreed to issue a statement. I tried to get a copy of the *Blitz* but did not get it yesterday, still I wrote out a short statement and showed it to Jawaharlalji who approved it and sent a copy to Rajaji for his approval. As soon as I get it from him, I will send it to the Press. I am enclosing a copy.

But it seems to me that there is nothing for me to contradict in the statement in the *Blitz*. There is no allegation against me. There are three parties against whom allegations are made. Firstly, the members of the Constituent Assembly who are divided into two groups alleged to be canvassing in favour of the two contestants; secondly, you and Jawaharlalji who are said to be supporting one; and lastly one of the so-called contestants who is said to have done so many improper things. Therefore, although I have issued the statement it is not really and cannot be a contradiction of what is alleged in the issue of the *Blitz*. That contradiction, if any has to be made, can only come from the three parties concerned. Anyhow, it is a most sorry business that people should indulge in this kind of propaganda. I am told some other papers have also written. Rajaji himself mentioned to me two papers but I have not seen them and do not know what they have said.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sardar Vallabhbhai Patel.

Enclosure:

(Statement issued by Dr. Rajendra Prasad)

I am surprised to see that someone has started the stunt that there are two contestants for the high office of the President of our Republic when the new Constitution comes into force. There is no foundation for this. I deprecate discussion of individuals in connection with such a high post. There is and there can be no question of any rivalry between Rajaji and myself for any post or honour. I would, therefore, warn the public not to be misled by any propaganda of this nature and request all not to indulge in it.

115. *To Mohanlal Saksena*

New Delhi
13th June 1949

My dear Mohanlalji,

P. Balkrishna Sharma saw me yesterday and told me that there is much misunderstanding about the action being taken by the Government to rehabilitate the Meos in Alwar and Bharatpur areas. When I explained to him what was being done he appeared to be satisfied but suggested that to allay public misapprehension a statement explaining the position should be issued by me to the Press. I do not know what you think about the suggestion and the whole situation. In case you think that such a statement by me is required, I shall have no objection. But in that case I shall request you to let me have a note giving all relevant facts. Perhaps one of your secretaries could give me the necessary and relevant information in a note. But this will be required only if you think I should issue a statement.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Mohanlal Saksena
Minister for Relief and Rehabilitation
Government of India
New Delhi.

116. *To Louis Fischer*

1 Queen Victoria Road
New Delhi
The 13th June 1949

My dear Mr. Fischer,

I have received your letter dated the 1st June and give you the information as far as I can from memory. The tenants used to grow other crops like paddy, maize, wheat, barley, etc., on the remaining 17/20ths of their holdings, 3/20ths being cultivated with indigo. I cannot give the number of peasants involved but it must have been in hundreds of thousands. There was hardly any peasant who was not under this obligation. The population of the district of Champaran was over 2 million and most of the people were cultivators of land. The agreement which the planters got from the peasants for increase in their rent in lieu of Tinkatia (i.e., obligation to grow indigo on 3/20ths of their holdings) was obtained by force and coercion. Manufacture of indigo had ceased to be a profitable industry for the

indigo planters on account of the introduction of synthetic dyes early in the 20th century and they were anxious to avoid the consequent loss which they apprehended. They took advantage of a provision in the land tenancy law which laid down that if a tenant was under obligation to grow a particular crop for the benefit of the landlord, the landlord could claim an unlimited enhancement in rent in lieu of giving the tenant freedom from the obligation to grow that particular crop notwithstanding another provision of the law which limited enhancement in rent to $12\frac{1}{2}\%$ of the existing rent and that only after a lapse of 20 years and only when it was shown that there had been a general rise in the price of foodgrains. Under this limitation, landlords could not claim any enhancement at all if there was no general rise in the price of foodgrains calculated on the basis of the average of ten years' rent and if they could claim any enhancement under this clause they could get it by private agreement with the tenants but subject to the maximum of $12\frac{1}{2}\%$. Both these limitations could be got over if the enhancement was agreed to in lieu of freedom from obligation to grow a particular crop. This particular section in the tenancy law had been introduced some 50 years earlier at the instance of the planters themselves and they took advantage of this at that time. The tenants knew that indigo manufacture had ceased to be a profitable business and they were shrewd enough to understand that sooner or later the planters would have to give up that business and they could never have agreed willingly to a permanent unlimited enhancement in their rents. They were coerced in various ways which I have described in great detail in a book which I have written. Shortly, they instituted false criminal prosecutions against them, had them beaten, their houses were looted, their cattle impounded, they were socially boycotted by withdrawing from them certain essential services like the services of carpenters and blacksmiths to repair their agricultural instruments, of barbers to shave them, of cobblers to supply them with leather goods which they required for their agricultural purposes, of midwives, forceful occupation of their lands, etc. They were cowed down and were unable even to lodge complaints against this tyranny and oppression in courts. The Government on the other hand helped the planters by appointing a number of special registrars to register the agreements. Under the law, these agreements were required to be registered before an official who was known as Registrar of Documents. The Government posted these additional registrars at the very places where the planters had their offices. As thousands and thousands of documents had to be registered the ordinary staff could not deal with them and therefore additional registrars were posted at each factory and they quickly registered the documents. This is how these agreements were executed and got. I cannot give the number of the peasants who signed these agreements but you can have an idea that the amount of additional income derived on account of the enhancement of rent by reason of these enhancement agreements was about 60% of the existing rent. Some 30,710 enhancement agreements were executed between 1912 and 1914. The total amount of enhancement of rent in rupees was anything between 2 and 3 hundred thousand annually. Where the planters did not get this permanent enhancement

they realised cash compensation which they called Tawan and it was estimated at the time that the cash so realised was about Rs.1,000,000. All this was not paid in cash. Where the tenants were unable to pay in cash in one lump sum, they executed bonds which were realised later on by instalments in due course. The Tawan as the compensation was called was realised on an average of about Rs.50 to Rs.60 per acre on which the tenant was supposed to be under obligation to grow indigo.

There is no indigo grown there now or anywhere else so far as I know. The planters realised that on account of the legislation which the Government passed as a result of Mahatma Gandhi's movement abolishing compulsory growing of indigo under Tinkatia system, they could not carry on in any other way and they were anxious somehow to get out of the difficulty which was thus created. The tenants on their side were anxious somehow or other to get rid of them. The planters found that with the loss of their prestige and with the advent of synthetic dyes they could no longer profitably grow indigo and agriculture like the ordinary agriculturists was equally unprofitable for them. They therefore began to sell their lands in small bits which the tenants were only too glad to purchase. So whatever land they possessed of their own they sold in this way and got good price for it and went away happy. A few of them converted their factories into sugar factories and their indigo plantations into sugarcane plantations and they are still there but they do not have any of their old influence or prestige and are carrying on like any other owner of a sugar factory of which we have many in that district owned by Indians. I look upon this settlement of indigo trouble there as a very effective illustration of the working of Gandhiji's principle of non-violence. When he went there he declared that he had no enmity with the planters but only wanted to stop their inequities. The planters were happy to get out of the situation which was becoming more and more difficult for them and the tenants were happy to get rid of their oppression. Both were pleased with the end of the system.

Mahatma Gandhi was in Champaran for a short period and busy with the enquiry and therefore the institutions which he established there towards the end of his stay did not flourish and leave any permanent effect in the way in which one would expect an institution to leave on the people who grow under its influence. But it was not only in Champaran but in the whole Province of Bihar which was till then regarded as one of the most backward Provinces in India that there was a great awakening amongst the masses at large and this awakening has remained all through the movements which Mahatma Gandhi led in India during later years. From being one of the most backward Provinces, Bihar came out as one of the most advanced Provinces in Gandhiji's movement.

I have no letters of Bapu but I had in my possession all the correspondence which then passed between him and the Government officials and the other papers relating to Champaran but unfortunately during the period when we were in jail and when the Ashram where we used to live was under police possession for years, these papers were destroyed or at any rate I am not able to trace them and

so very valuable material dealing with those early days is now lost. I am hoping however that it may be possible to reconstruct the old things from various sources.

The book which I wrote in 1919 and which was published in 1922 is now out of print but I have just heard that the Navjiwan Press, which publishes Mahatma Gandhi's writings, is bringing out a new edition. As soon as it is available, I will send you a copy.

Yours sincerely,
Rajendra Prasad

Louis Fischer, Esqr.
237 Madison Avenue
New York 16.

P.S. I am sending in a separate cover copies of a series of articles which were written by me and published in 1931. You may get some more details from these about Champaran as also a comprehensive view of how Mahatma Gandhi worked in those days.

Rajendra Prasad
13.6.

117. *To Dr. N.K. Menon*

1 Queen Victoria Road
New Delhi
13th June 1949

Dear Sir,

This is with reference to your letter dated 19th May to the President, Gandhiji World Peace Mission, Sevagram, Wardha, forwarded through the Secretary of the Ministry of External Affairs, Government of India, New Delhi. It was, in ordinary course, formally sent to Sevagram but as there is no such organisation, friends there have sent it to me for disposal as the President of the Gandhi Smarak Nidhi (Gandhi National Memorial Fund Trust), an all-India organisation, of which I am the President and some of our top-ranking countrymen including Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, etc., its Trustees. This Trust has, for its object, perpetuation of the memory of Gandhiji by furthering the various items of his Constructive Programme and such other means as the Trustees may approve. There is no such organisation as the Gandhiji World Peace Mission, of which I am the President, and the Honourable Pandit Jawaharlal Nehru, the Secretary. I also do not know

anybody by the name of Major Prasad nor has he been sent abroad on our behalf.

Yours sincerely,
Rajendra Prasad

Dr. N.K. Menon, M.D.
73 Perak Road
Penang (Malaya).

118. *From Vallabhbhai Patel*

Dehra Dun
14 June 1949

My dear Rajenbabu,

Thank you for your letter of 11 June 1949. I have now seen the Press communique in the papers.

I approached the matter entirely from the point of view of two distinguished personalities of the Congress, whose names were becoming the centres of controversy in the Press. At present, it had only affected a handful of papers. I thought it would not look nice if the controversy spread, particularly when it was without any substance. The Governor-General was obviously not in a position to issue any statement; the only other person who was free to do so was yourself, and I thought it would look more dignified as well as proper if the communique was issued by you. Hence my request through Satyanarayan Babu. I am very glad that you have acceded to it.

Yours sincerely,
Vallabhbhai Patel

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

119. *To S.D. Bailey*

1 Queen Victoria Road
New Delhi (India)
June 15, 1949

Dear Sir,

Many thanks for your letter dated the 2nd June for an article for the

Parliamentary Affairs on the new Indian Constitution. The Constituent Assembly of India has been considering the Draft Constitution and has done nearly three-fourths of it. It is adjourning now for a few weeks and will take up the remaining articles of the draft in the latter half of July. I am hoping that in this interval it will be possible for me to write out an article for the *Parliamentary Affairs*. I am afraid, I have mislaid your previous letter. I shall be obliged if you let me know the space that you could be able to spare for this article and the time by which I should send it to you.

Yours sincerely,
Rajendra Prasad

The Assistant Director
The Hansard Society
London.

120. To H.M. Patel

1 Queen Victoria Road
New Delhi
June 17, 1949

My dear Mr. Patel,

I mentioned to you yesterday the case of a young man, Virkishore Prasad Sinha, of the Royal Indian Military College, Dehra Dun, who seeks admission in the Inter-Services Wing, 2nd Course, July 1949. His application has been turned down by the 14th Services Selection Board who have informed him that his grade is not likely to be considered for acceptance at the Army Headquarters on the existing standard. While the standards must be maintained, cases of individual candidates have to be sympathetically considered specially when they belong to a Province like Bihar which has practically no representation at all in the Army as a result of the deliberate policy introduced after the rebellion of 1857 to exclude Biharees on account of a very prominent part which they had played in that rebellion. Now that the cause which led to their practical exclusion has disappeared, boys from that Province should be given an opportunity to make up the loss. I am told a good number of admissions are going to be made and it should not be impossible to admit this young man unless he is a bad misfit. I hope you will not mind the trouble that I am giving you and look into the matter and help him.

I am giving the details to enable you to trace his case. Name—Virkishore

Prasad Sinha, applicant for the Inter-Services Wing, 2nd Course, July 1949, found not up to the mark by the 14th Services Selection Board, Lucknow.

Yours sincerely,
Rajendra Prasad

Shri H.M. Patel. C.I.E., I.C.S.
Defence Secretary
New Delhi.

121. *To Dr. John Matthai*

1 Queen Victoria Road
New Delhi
June 17, 1949

My dear Dr. Matthai,

I wrote to you on the 22nd February 1949 about Mr. Keshava Dayal whose petition has been pending since November 1947. I requested you to be good enough to look into the matter. I understand that nothing has so far been done. I know you must be very busy preparing for your visit to London but this is to request you to look into the matter yourself, if not now, after your return, so that justice may be done. I am enclosing copy of my previous letter.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. John Matthai
Minister for Finance
New Delhi.

Enclosure not included.

122. *From K.C. Neogy*

D.O. No. MM/265/49

New Delhi
The 18th June 1949

My dear Rajen Babu,

Thank you for your letter of the 28th May, introducing Sri Anand Mohan Sahay.

He had been to see me and I gathered he wished to be considered for a post abroad if that were possible. On this point, I am afraid the position is rather difficult, for recruitment to such posts is now ordinarily made from among officers of the Foreign Service who have to be selected by the Public Service Commission.

Regarding his business contacts, I asked him to see the Chief Controller of Imports, who has explained to him that owing to our exchange position, we do not at present issue any licences for the imports of cement from Japan. Japanese exchange is at present as difficult as dollars and owing to extreme stringency, we are compelled to ban the import of many essential commodities, apart from cement, from dollar areas and Japan. The Chief Controller has suggested that he might import cement from soft currency countries under the new O.G.L. No. XV or else he might wait till about the end of July when, after a review of our payment position, it would be possible to say whether imports from Japan could be permitted.

I am so sorry I have not been able to be of any immediate assistance.

Yours sincerely,
K.C. Neogy

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

123. *From Mohanlal Saksena*

MINISTRY OF REHABILITATION

D.O. No. 1559/PSMR

New Delhi
June 18th, 1949

My dear Rajen Babu,

Please refer to your letter dated 13th June 1949.

As desired, I enclose a note on the rehabilitation of Meos in Alwar and Bharatpur. I trust you will find it useful.

Yours sincerely,
Mohanlal Saksena

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

representing his case for further grant. Will you kindly look into the matter and see if anything even in the stringent financial condition could be done to help him?

Yours sincerely,
Rajendra Prasad

126. *To Dr. Syama Prasad Mookerjee*

1 Queen Victoria Road
New Delhi
19th June 1949

My dear Dr. Syama Prasad,

Attached herewith I am sending you a letter which I have received from Dr. C.D. Deshmukh, who is a Professor of Philosophy in the Vidarbha Mahavidyalaya, Amraoti (Berar), regarding the facilities for the Meher Publications to publish Shri Meher Baba's literature for such consideration as it deserves.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
4 King Edward Road, New Delhi.

Enclosure not included.

127. *To K. Santhanam*

1 Queen Victoria Road
New Delhi
19th June 1949

My dear [Santhanam,]

This is with reference to your letter dated the 7th instant. I had sent a copy of your letter to Shri Kaka Saheb Kalelkar enquiring as to what arrangement he would like to be made for his pass. Attached herewith I am sending you a copy of his reply to me.

I have not as yet heard anything from Shri Vinoba Bhave. As soon as I have received a letter from him, I shall pass it on to you.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri K. Santhanam
Minister of State for Railways
Government of India
New Delhi.

Enclosure not included.

128. *From Dr. John Matthai*

No. 4275-PSF/49

New Delhi
June 20, 1949

My dear Dr. Rajendra Prasad,

I am in receipt of your letter of the 12th June 1949 enquiring whether anything could be done to rehabilitate the Calcutta Commercial Bank and the Pioneer Bank, Calcutta, so as to assist the refugees from Eastern Pakistan to West Bengal, as well as the Gandhi Smarak Nidhi, to recover the deposits made with these banks. Both the Calcutta Commercial Bank and the Pioneer Bank suspended payment in September 1948. An attempt by the Reserve Bank to inspect these banks had to be abandoned for want of returns, books, etc., and irregular attendance of the staff. The Calcutta Commercial Bank's application for a sanction of a scheme of arrangement is under the consideration of the Calcutta High Court and will come up for hearing on the 27th June 1949. As regards the Pioneer Bank, there is no recent information. We would certainly consider the possibility of the rehabilitation of these banks when the Reserve Bank's report on their affairs is received, but I am afraid I cannot hold out any hope at present that it will be possible.

Yours sincerely,
John Matthai
Finance Minister

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

129. *From Dr. John Matthai*

No. 4281-PSF/49

New Delhi
June 20, 1949

My dear Dr. Rajendra Prasad,

Will you kindly refer to your letter of the 17th June regarding Keshava Dayal? I am sorry I could not reply to your earlier letter of the 22nd February 1949. I had the matter referred to the Auditor General, under whose administrative control Mr. Keshava Dayal is working, for his remarks, and I had expected to write to you as soon as a reply was received from the Auditor General. Unfortunately, the Auditor General has not yet written to me in the matter. He has, however, been reminded more than once, and I understand that he has looked into the matter personally on his recent visit to Allahabad and will be able to give his final views at a very early date. I hope that by the time I return from the U.K., I shall be in a position to send you a final reply.

Yours sincerely,
John Matthai
Finance Minister

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
New Delhi.

130. *To N.V. Gadgil*

1 Queen Victoria Road
New Delhi
The 22nd June 1949

My dear Gadgil,

I have received a letter from Syt. Gyan Saha, Managing Director of the Bihar United Insurance Co. Ltd., Patna, in which he complains that a house the United Insurance Co. has purchased is in the possession of the Central Public Works Department at Patna and they are not prepared to give occupation. The matter has been dragged on for a long time and the company is being put to loss and inconvenience. Mr. Tazammul Hussain has also written and spoken to you about it. A representation has been sent to you by Mr. Gyan Saha, the Managing

Director. May I request you to look into the matter and see that justice is done?

Yours sincerely,
Rajendra Prasad

The Hon'ble Sri N.V. Gadgil
Minister for Works, Mines & Power
Government of India
New Delhi.

131. *To Jairamdas Doulatram*

1 Queen Victoria Road
New Delhi
The 23rd June 1949

My dear Jairamdasji,

The question of stopping the export of cattle from the East Punjab to other Provinces has been hanging fire for a pretty long time. One of the reasons why this has been pressed is that when superior quality cattle are taken to places like Calcutta and Bombay they are practically rendered useless if not slaughtered after one or two lactations at the most, thus causing irreparable loss to the country of its best milch cattle. Calves are destroyed as soon as they are born just to enable the owner to get the utmost quantity of milk that he can out of the animal. The destruction of calves is another source of irreparable loss. I am told that a request has been made by the East Punjab Government to stop export of such cattle for a period of six months experimentally after which period the decision of a more permanent nature may be taken allowing such exports on the basis of permits or quota system. I hope the question will receive your consideration and this wanton destruction of the best cattle in the country will be restricted if not stopped altogether.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Jairamdas Doulatram
Minister for Food and Agriculture
Government of India
New Delhi.

132. *From Brahmachari Rajkrishna*

THE BHARAT SEVASRAM SANGH

Post Box No. 1641
Nairobi, East Africa
The 23rd June 1949

Dear Sir,

It gives me great pleasure to let you know that the Indian Cultural Mission deputed by the Bharat Sevasram Sangh has completed its successful tour of East Africa making intensive moral and cultural propaganda since one year. It has also established a branch-centre in Nairobi, the capital city of East Africa, to continue its preaching and propaganda, permanently, in this continent.

The main objective of the newly established centre of the Sangh will be to disseminate the broad synthetic and comprehensive aspects of the Indian culture to all the communities of East Africa so that it may help to create a liberal outlook and a sense of unity amongst the inhabitants of this country on a cultural background.

We hope, your good wishes and hearty blessings will help the Sangh's new branch to fulfil its mission.

With namaste,

Yours sincerely,
Brahmachari Rajkrishna

Hon'ble Dr. Rajendra Prasad
New Delhi.

133. *To Abul Kalam Azad*

1 Queen Victoria Road
New Delhi
The 24th June 1949

My dear Maulana Saheb,

There is a large number of manuscripts of great value lying about in various places in the country and in the neighbouring countries like Nepal, Tibet, etc. These have a great historical interest for our country and should as far as possible be collected, preserved and catalogued. A great deal of such literature has gone away to England and other countries but what remains should be preserved. I believe, many of the States have got such collection of historical material but as the rulers have ceased to rule all of them will lose interest in them and so very

valuable material may deteriorate. I would, therefore, suggest that steps may be taken by the Government to collect and preserve them. Steps should be taken for the preservation of even such as have to be left where they are. A catalogue is absolutely essential. May I therefore request that the Government may depute some of its officers to do this work of national importance? The archaeological department or the department which is in charge of the archives might undertake it and if necessary a few special appointments may be made in this connection. As it is a matter of public importance I thought it necessary to draw your attention to it, *although I know that you are also interested in it.*

Yours sincerely,
Rajendra Prasad

The Hon'ble Maulana Abul Kalam Azad
Minister for Education
New Delhi.

134. *From B. Malik*

High Court
Allahabad
June 25, 1949

My dear Rajendra Babu,

I have been following the proceedings of the Constituent Assembly relating to High Courts as published in the Press. I have heard that there are certain proposals for reduction of salaries of Judges and also of the present incumbents. I am enclosing a note on certain points. I hope you will kindly consider them and give us your valuable support. My anxiety is that the judiciary may be able to maintain its position and prestige and discharge its duties efficiently and with independence.

With respects,

Yours sincerely,
B. Malik
Chief Justice, Allahabad High Court

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly
New Delhi.

Enclosure:

(Note on the salary and pension of Judges)

1. If Judges recruited from the Bar are made to retire at 60 they are not likely to earn a substantial pension. The Judges recruited from the Provincial Judicial

Service earn a pension of only Rs.790 in the United Provinces whatever may be the length of service. With the present high prices retired Judges would find it very difficult to live on their pension. A substantial increase in the rate of pension is, therefore, necessary. The pension should be made income-tax free.

If the Judges after retirement are not allowed to practise before any court or authority in the interest of the dignity of the office it is necessary that they should be paid a pension which will enable them to live in moderate comfort and maintain the dignity and the position of the office which they had held.

It may be pointed out in this connection that in the United States pension is equal to the salary and a Judge retires when he is unfit for work. In England it is two-thirds of the salary.

2. Retired Judges used to be appointed in the High Courts of Indian States. There would probably be the same age restriction for the State High Courts and if the Judges are not allowed to practise anywhere or appear before any authority they will have to sit at home and live on their pension. Unless substantial increase is made in the pension that is paid to the Judges the restriction against practice should be confined only to the Province where a Judge had held office.

3. There was no statutory age limit up to 1935. It was for the first time introduced in the Government of India Act of 1935 and 60 was fixed as the age of retirement for High Court Judges and 65 for Federal Court Judges. Before 1935 the Judges at the time of appointment were required to give an undertaking that they would retire at the ages mentioned above. This system had worked satisfactorily from 1905 to 1935. It had one advantage, that of flexibility. If a short extension made a substantial difference in the pension or without a few months' extension the minimum pension would not be earned such extensions were granted on the recommendation of the Chief Justice. I do not remember any case where any extension beyond two years was ever given.

I do not know why it is necessary to fix an age limit in the Constitution. If, however, it is considered necessary that there should be an age limit prescribed for retirement, I would suggest that a negative provision be made so that the age of retirement for High Court Judges and Supreme Court Judges may not be fixed below 60 and 65 respectively. The undertakings will have to be given to the President at the time of the appointment. This would have the advantage of introducing a certain amount of flexibility and, apart from the cases in which extensions are granted to earn a pension, it would enable the age limit to be raised without much difficulty if from experience it appeared that younger men of suitable calibre were not available and the Judges holding office could work efficiently up to the age of 62 or 63.

4. If the age of retirement is left at 60, as at present suggested, it would cause great hardship if lawyer Judges are not allowed to practise anywhere or appear before any authority. This provision appears to be too drastic and, if this is accepted, compensation by way of increased pension is absolutely essential. At 60 the majority of them are fit for work and if this drastic provision is introduced in the Constitution the compensating factors of a better pension and increased age

of retirement should be introduced.

5. With the increased income-tax and high prices a Judge's salary today does not amount to much. In England the Socialist Government are thinking of increasing the salary of Judges. There is no cause for a reduction in India. It is essential that High Courts should be able to maintain their old standards and should have the best men. The Judges have to maintain a certain standard of living in the interest of the administration of justice itself. This can only be possible if salaries paid are such that the Judges are able to maintain the standard of living expected of them. If anything, the salary which was fixed three-quarters of a century ago and was then free of income-tax should be increased rather than decreased. In any case there is no reason for reduction of salary of Judges of the High Court below Rs.4,000.

If the salary is reduced to Rs.3,300 then the Judges should be compensated by being given other amenities such as free and furnished houses, etc.

The reduction in the salary would not mean a saving of more than Rs.75,000 or a lakh in the year for the whole of India.

6. The position of a Chief Justice of a Province is very important. He must command respect of the Bench and the Bar. He has to do a lot of administrative work. The difference of Rs.1,000 between a Chief Justice's salary and a Judge's salary is proper. To give the Chief Justice merely an allowance of Rs.250 is absurd.

There should be no reduction in the salary of the Chief Justice. If the salaries are reduced there should be a substantial difference between the salary of the Chief Justice and that of the Judges, and the Chief Justices should also be compensated by being given other amenities such as free and furnished houses.

The Chief Justices of at least the important High Courts such as Calcutta, Bombay, Madras, Allahabad, Patna and East Punjab should get the same salary as the Judges of the Supreme Court.

7. The salary fixed for the Judges of the Supreme Court must be such as to attract the best talent in India and to make drastic reduction in the salary of the Judges of the Supreme Court in these days of high prices and high income-tax is most improper. If the salary must be reduced from Rs.5,500 to Rs.4,000, they should by way of compensation get additional allowances for house rent etc. to make up for the reduction.

The same remarks would apply to the salary of the Chief Justice of India.

8. Chief Justices of the important High Courts should be ex-officio Judges of the Supreme Court. This would improve the tone of the High Courts as the Chief Justices would come in touch with each other and with the Judges of the Supreme Court. This would have the additional advantage that the status and position of the High Courts would not be lowered by reason of there being a higher court in the land and the High Courts would be more intimately in touch with the Supreme Court. It would be a calamity if the position and prestige of the Provincial High Courts are lowered. The raising of the position of the Provincial High Courts would not in any way interfere with the position and prestige of the

Supreme Court.

9. There is no valid reason for making a distinction in the age of retirement fixed for the Judges of the High Court and the Judges of the Supreme Court.

10. The subordinate judiciary—both civil and criminal—should be placed under the control of the High Court and the High Court should have the power of their transfer etc. This has been suggested in Chapter VIII by the Drafting Committee in Articles 209 (A), (B) and (C).

11. The amended Article providing for the officers and the servants being appointed by the Chief Justice in consultation with the Public Service Commission of the State will not work satisfactorily. As the two words 'officers' and 'servants' have been used, the word 'servants' would also include the menial staff and all appointments, clerical and otherwise, will have to be done in consultation with the Public Service Commission which will not only be impracticable but will entail a considerable increase in the work of the Public Service Commission. In this connection it may be pointed out that the District Magistrates and the District Judges and other Heads of Departments are authorised to make all ministerial and menial appointments and can take disciplinary action without the approval of the Government and it is only in the appellate stage that the Government comes in. If a provision in the Constitution is considered to be necessary it should be to this effect that the appointments shall be made according to the rules framed by the High Courts with the approval of the Governor so that at the time of making the rules the Provincial Governments may make suitable provision for control. Such a provision, however, appears to be wholly unnecessary and High Courts are not expected to command less confidence than Public Service Commissions.

12. The proposal giving power to recall Judges provides that the Judges can be recalled for a case or a group of cases. The Judges are frequently required to work on various tribunals. This demand is bound to grow in future. As under the Constitution it will not be possible to appoint temporary or Additional Judges for limited periods it may be worthwhile to provide that the retired Judges can be recalled for limited periods with the approval of the President. It would be wasteful to increase the number to provide for such contingencies. Moreover, almost every High Court is undermanned.

13. It is not clear whether the provision about recalling of Judges applies only to Puisne Judges or also to retired Chief Justices.

14. The reduction of salary of Judges and Chief Justice should not in any way be given retrospective effect and should not apply to existing Judges. Solemn undertakings have been given and there should be no breach of those undertakings. The matter has been fully dealt with in the note of the proceedings of the Chief Justices' Conference. It is not necessary to add extra reasons. If the salaries of existing Judges are reduced they would be entitled to resign and go back to the bar as they would no longer be bound by their undertakings. This would not be at all desirable nor would it be proper that this situation should arise by reason of the Government committing breaches of its solemn pledges.

15. The salaries of the Secretaries of the Central Government specially of the members of the Indian Civil Service are not being reduced. The Judges' salary should not be reduced below the salary of the Secretaries of the Government of India. The new Order of Precedence is also not satisfactory. Care should be taken to see that the position and prestige of the Judges are not lowered and they are not given the rank and the position of Secretaries of the Departments.

135. *From N.V. Gadgil*

"The Retreat"
Simla
June 25, 1949

My dear Rajenbabu,

Kindly refer to your letter dated 22nd June 1949 regarding the Bihar United Insurance Co. Ltd. This question has been already considered by me and I have asked the Central P.W.D. to vacate the premises and hand them over to the Insurance Company. Meanwhile, as the matter is pending in the Court, some procedure has to be gone through. The real difficulty is that there is no requisitioning power with the Bihar Government which the Government of India can invoke for the purpose of finding out accommodation for their offices and officers. However, we are doing our best to hand over possession as early as possible to the Insurance Company concerned.

With regards,

Yours sincerely,
N.V. Gadgil

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

136. *From Jairamdas Doulatram*

No. C. 4774/49/PAM

1 York Place
New Delhi
26th June 1949

My dear Rajendra Prasadji,

Thanks for your letter of 23rd June regarding export of cattle from East

Punjab. This matter has taken a long time because the Punjab Government would not give us the figures of export during the last few years. We were anxious to accommodate East Punjab and prevent excessive export of their special breeds. East Punjab is one of the Provinces which supply good cattle to the rest of India. I do not know how far it will be in the interests of India's economy if each Province bans export of what the rest of India needs unless there is heavy shortage within the Province itself. We are having similar demands of provincial bans on various commodities, e.g., ghee, oilcake, cottonseed, etc. We therefore told the Punjab Government that the best course would be to have regulated export by fixing the maximum number of cattle which should reasonably be exported. They took months to supply us the necessary statistics. We therefore told them to allow us to proceed on the basis of such statistical information as we have. We also told them that we will take care to see that cattle were exported only under a demand placed by the Provincial Governments. Further, that export would be only allowed for breeding purposes. We have been recently in telephonic communication with the Punjab Government, and a day before I got your letter I had finalised with the Punjab Premier that there may be a ban on the export of cattle from the Punjab for the period of one year as an experiment subject to not more than two thousand cattle being allowed to be exported to Provincial Governments under permits issued by the Central Government on assurances being given that the cattle will be used only for breeding purposes. U.P. alone has been latterly importing about 36,000 cattle a year from the Punjab. I am not referring to lesser imports by Calcutta and Bombay where the cattle has been wrongly used. The total exports from the Punjab have been latterly over one lakh cattle per year. I have cut down the exports to less than 25 per cent. There will not be more than 24,000 the next year, at the rate of 2,000 a month. But the effect of even this will be reviewed before the year is out. It will be reviewed at the end of six months. With this method of strictly limiting and regulating the export of cattle, Punjab will not materially suffer and the rest of the country would gain. I hope this will be considered by you as a satisfactory solution for the time being.

With kind regards,

Yours sincerely,
Jairamdas Doulatram
Minister of Agriculture

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

137. *From S.D. Bailey*

THE HANSARD SOCIETY

162 Buckingham Palace Road
London, S.W. 1
27th June 1949

Dear Doctor Prasad,

I am glad that you can undertake the article. If it were to go into our next issue I should need to have the material by July 20th, which I assume is too early for you to complete the article. The following issue of our journal is devoted to all aspects of the government of America and it will, therefore, be most convenient to plan to include your article in the first issue in 1950. In this case, I should like to have the manuscript by December 1st.

An article of approximately three thousand words is the sort of length I had in mind. I look forward to receiving it very much.

Yours sincerely,
S.D. Bailey
Assistant Director

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi, India.

138. *To Jawaharlal Nehru*

New Delhi
June 30, 1949

My dear Prime Minister,

I am enclosing herewith copy of a letter and a note which I have received from Chief Justice B. Malik of the Allahabad High Court.* The question of salaries of Judges has not yet been dealt with by the Constituent Assembly and the articles relating thereto will have to be considered during the next session. I hope, the Government will have taken their decision in the matter before then. Chief Justice Malik's note has to be considered by the Government rather than by the

Constituent Assembly and I have therefore thought it necessary after consulting Sardar Patel to pass it on to you.

Yours sincerely,
Rajendra Prasad

The Hon'ble Pandit Jawaharlal Nehru
Prime Minister of India
New Delhi.

*See letter from B. Malik to Dr. Rajendra Prasad, dated 25 June 1949, and its enclosure.

139. *To B. Malik*

New Delhi
June 30, 1949

My dear Chief Justice Malik,

I have received your letter dated the 25th June 1949, together with its enclosure. As the question of salaries of Judges rests with the Government who will have to take the decision on the matter I am forwarding your note to the Hon'ble Prime Minister. You may have noted that the two Articles dealing with salaries and allowances of Judges of Supreme Court and High Courts have not yet been considered by the Constituent Assembly. They will be taken up when the Assembly meets again from the 30th July onwards. I am sure, the Government will be in a position to put forward their proposals after considering your points of view.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sri B. Malik
Chief Justice, Allahabad High Court
Allahabad.

140. *To Jairamdas Doulatram*

1 Queen Victoria Road
New Delhi
The 30th June 1949

My dear Jairamdasji,

Many thanks for your letter dated the 26th June 1949. I am glad that you have

taken action and I hope it will have good effect. For myself, I am satisfied for the present. It was never my intention that all export of cattle even for breeding purposes to other Provinces should be stopped but what I was keen about was that cattle which go to the places where they are slaughtered should not be allowed to be exported. There is bound to be good demand for draft cattle and also of breeding bulls. This need not be stopped provided that some assurance is taken that they will be used for the purpose for which they are exported. You will of course watch the result of the action taken and take final decision later on.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Jairamdas Doulatram.

141. *To Sir N. Gopalaswami Ayyangar*

1 Queen Victoria Road
New Delhi
The 30th June 1949

My dear Sir Gopalaswami Ayyangar,

You are doubtless aware that it has been proposed to establish a township at Rajpura in Patiala State for refugees mostly from the Bahawalpur State. I understand there is a proposal to have a railway workshop in the vicinity for the E.P. Railway. The decision to have the township there has, I believe, been largely influenced by the proposal to have the railway workshop in that locality. Several thousand refugees have already shifted and are living in camps there. It is necessary to expedite the work of building the township but the Planning Adviser Dr. Koenigsberger is unable to proceed with the planning unless he is assured about the site of the workshop. I understand the matter has been under consideration before the Railway Ministry but no final decision has yet been taken. There is, I am told, some doubt about the availability of water which would be adequate both for the workshop and the township and some investigation was made. I understand that the report of the investigators is under consideration. I shall be obliged if you kindly have the decision expedited so that the work of planning the township may be taken in hand. Any delay in the decision about the workshop inevitably delays the planning of the township and hence the urgency.

There is another matter about which I have to give you some trouble. We have been on the look out for a suitable person whom we could appoint as the Administrator of the proposed township who would look after not only the township when it is constructed but also its construction. The post had been

advertised and the Rajpura Development Board has selected Mr. Harihar Bannerji, Director, Housing Research, Railway Board, as the most suitable person on account of his past experience and record of work in the B.N. Railway which has been highly spoken of by his superior officers. May I therefore request you to lend his services to the Rajpura Development Board for a period of two to three years within which time it is hoped the construction of the township and the settlement of refugees will be completed. The Board has felt encouraged to make this request because Mr. Bannerji is not engaged at the present moment in any actual constructional work and perhaps could be spared by you.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sir N. Gopalaswami Ayyangar
Minister for Railways and Transport
New Delhi.

Copy to Shri Sudhir Ghosh, Rehabilitation Ministry.

R. Prasad.

142. *From Jawaharlal Nehru*

No. 926-P.M.

New Delhi
July 1, 1949

My dear Rajendra Babu,

Thank you for your letter of June 30th, enclosing a letter from Chief Justice Malik of the Allahabad High Court. I am generally in agreement with the argument, though I do not agree with everything that he says. I am afraid, however, that most of the members of the Constituent Assembly are bent on reducing these salaries. I think that will be unfortunate.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

143. *To H.M. Patel*

1 Queen Victoria Road
New Delhi
The 2nd July 1949

My dear Mr. Patel,

On the 16th June in the evening at the Swedish Embassy Reception, I mentioned to you the case of Virkishore Prasad Sinha, a boy from Bihar in the Royal Indian Military College, Dehra Dun, for admission to the second course of the Inter-Services Wing of the Armed Forces Academy. I followed it up with a letter on the 17th June (copy enclosed).*

As the course is to begin about the middle of July, the gap between the number required and the number available might have been ascertained by now. If there is any scope for taking even a few more and if Virkishore Prasad Sinha is not a bad misfit, will you kindly give him a chance?

As I wrote in my last letter, Bihar has, in the past, been deliberately and persistently kept back from the Army as a result of the important part played by the Province during the 1857 War of Indian Independence.

I saw Virkishore Prasad Sinha the other day in his R.I.M.C. uniform; and I was quite impressed with his personality, smartness, intelligence and manners.

Yours sincerely,
Rajendra Prasad

H.M. Patel, Esqr., C.I.E., I.C.S.
Secretary to the Government of India
Ministry of Defence
New Delhi.

*See Dr. Rajendra Prasad's letter to H.M. Patel, dated 17 June 1949.

144. *To Brahmachari Rajkrishna*

4 July 1949

Dear Brahmachari Rajkrishnaji,

I am glad to receive your letter dated the 23rd June 1949 and find that the Indian Cultural Mission deputed by the Bharat Sevasram Sangh has carried out its tour of East Africa and established a branch centre at Nairobi to disseminate the broad synthetic and comprehensive aspects of Indian culture. I need hardly

assure you of my great interest in the kind of work which the Mission has been doing and of my best wishes for its success.

Yours sincerely,
Rajendra Prasad

Brahmachari Rajkrishna
The Indian Cultural Mission in Africa
P.B. No. 1641, Nairobi
East Africa.

145. *To S.D. Bailey*

1 Queen Victoria Road
New Delhi
The 4th July 1949

Dear Mr. Bailey,

Many thanks for your letter dated the 29th June 1949. It will suit me very well to send the article on Indian Constitution by the 1st of December. As you know, the Constituent Assembly has not yet completed the consideration of the Draft Constitution but it is hoped that by October next it will have passed it. So it would be really better to write the article after the Draft has been approved by the Constituent Assembly in its final form and I propose to do so. I note that it should approximately be of 3,000 words.

Yours sincerely,
Rajendra Prasad

S.D. Bailey, Esqr.
The Hansard Society
London, S.W. 1, England.

146. *From Sir N. Gopalaswami Ayyangar*

5 Queen Victoria Road
New Delhi
July 5, 1949

My dear Dr. Rajendra Prasad,

I have convened a conference of those concerned with the work of recovery of abducted persons, on the 11th July 1949 at 11.30 a.m., in my office room at the

Central Secretariat, North Block, to consider the question of re-enacting the existing Ordinance on the Recovery of Abducted Persons, which expires at the end of this month. I shall be glad if you can kindly make it convenient to attend.

Yours sincerely,
N. Gopalaswami Ayyangar
Minister for Transport & Railways

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
1 Queen Victoria Road
New Delhi.

147. *To Frances Standenath*

July 5, 1949

Dear Savitri Devi,

I have received your letter dated the 30th May 1949. I have forwarded the letter to Syt. Kishorlal Mashruwala who lives at present at Bajajwadi, Wardha. He edits the paper which is known as *Harijan* which is published from Ahmedabad. I hope you are doing well. I am quite fit.

Yours sincerely,
Rajendra Prasad

Miss Frances Standenath
Graz in Styria
Austria.

148. *To Sir B.N. Rau*

CONSTITUENT ASSEMBLY

New Delhi
July 6, 1949

My dear Sir B.N. Rau,

I am enclosing a letter with its annexure which I have received from Syt. A.V. Thakkar. He wants my advice whether it will be necessary to let the Chhotanagpur Adibasi Sabha send a deputation here to press upon the

Constituent Assembly the suggestion that Christian Adibasis should not be treated as Adibasis and their names should not be enrolled along with those of other Adibasis in the electoral roll. Perhaps they met you and Dr. Ambedkar on a previous occasion in a deputation and you assured them of your help. The question is coming again on the 20th and 23rd and subsequently in the form of amendment when the Constituent Assembly takes up the question. It seems to me that it will be better to let them come and put forward their case so that even in case the Assembly does not accept their suggestion they may have no grievance that their deputation was not received but I would like to be guided by your advice in the matter. On hearing from you, I will write to Sriyut Thakkar. Please return the original letter and its annexure with your reply.

Yours sincerely,
Rajendra Prasad
Chairman

Sir B.N. Rau
Constitutional Adviser
New Delhi.

Enclosure not included.

149. *To Sir N. Gopalaswami Ayyangar*

1 Queen Victoria Road
New Delhi
6 July 1949

My dear Sir Gopalaswami,

I have received your letter dated 5th instant asking me to attend the Conference regarding the question of re-enacting the Ordinance on the Recovery of Abducted Persons on the 11th July at 11.30 a.m. I shall gladly attend the Conference as desired.

Yours sincerely,
Rajendra Prasad

Sir N. Gopalaswami Ayyangar
Minister for Transport & Railways
New Delhi.

150. *From Sir B.N. Rau*

New Delhi
July 8, 1949

My dear Dr. Rajendra Prasad,

As I told you yesterday, I am leaving for Madras this morning on a short visit to see my father. I expect to return on Tuesday next (12-7-49). In case the Prime Minister asks you, before my return, how long I am likely to be wanted here in connection with the passing of the Constitution, this is just a line to give you our estimate of the situation.

We have a number of conferences from the 18th to the 27th July. These should help towards a satisfactory decision of the controversial points of the Constitution which still remain. Thereafter, the Constituent Assembly should be able to proceed with the 'second reading' without much difficulty and I expect this stage to be completed well before the end of August. Mr. Mukerjee and myself are now scrutinising the portions of the Draft already adopted, so that not much will remain for scrutiny between the second and third readings. Mr. Mukerjee can easily deal with this himself and if any unexpected difficulty should arise, I can advise by letter or cable. I expect therefore to be able to leave for New York before the beginning of September.

As you know, I have already assumed charge as India's Permanent Representative and in that capacity I should normally lead the Indian Delegation to the next session of the General Assembly of the United Nations. There are several important questions likely to arise during the session—such as our election to a seat on the Security Council—and I should like to be on the spot as early as possible.

Yours sincerely,
B.N. Rau
Constitutional Adviser

The Hon'ble Dr. Rajendra Prasad.

151. *From S.S. Ramasubban*

MINISTRY OF RAILWAYS
RAILWAY DEPARTMENT
(RAILWAY BOARD)

No. 49GP46.

New Delhi
8th July 1949

Dear Sir,

With reference to your letter dated 19th June 1949, addressed to the Hon'ble

Minister of State for Railways, I am directed to inform you that a Class I Card Pass, available between any station and any station on Indian Government Railways, has been issued in favour of Shri Kaka Kalelkar and his Secretary with one servant in Class III. The pass was forwarded to Shri Kalelkar on 24th June 1949.

2. Regarding the pass for Shri Vinoba Bhave, it will be issued on hearing from you.

With respects,

Yours faithfully,
S.S. Ramasubban
Secretary, Railway Board

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

152. *From S. Dutt*

MINISTRY OF EXTERNAL AFFAIRS

IMMEDIATE

D.D. No.-1345-49/ AP(Par.II)

New Delhi
The 9th July 1949

Dear Dr. Rajendra Prasad,

I am desired by Hon'ble Sir N. Gopalaswami Ayyangar to send a copy of the enclosed note on the recovery of abducted persons. You may find this note useful in connection with the Conference that will be held in his room on the 11th at 11.30 a.m. A copy of our Ordinance* is also enclosed for your information.

Yours sincerely,
S. Dutt
Additional Secretary

Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
1 Queen Victoria Road, New Delhi.

*Not included.

Enclosure:

(Note on the Recovery of Abducted Persons)

MINISTRY OF EXTERNAL AFFAIRS

The question of the recovery of women and children abducted during the disturbances of 1947 was considered for the first time at an Inter-Dominion Conference held at Lahore on the 6th December 1947. It was agreed between the two Dominions that all women and children abducted and converted after the 1st March 1947 in East and West Punjab should be recovered and restored to their original families. To implement this Agreement decisions were taken on several points such as the collection and consolidation of information, machinery to be employed, setting up of transit and base camps and the policy to be followed regarding restoration of recovered persons. In accordance with the decision taken, social workers, the police and the M.E.O. (Military Evacuation Organisation) of one Dominion were to work in the other Dominion with the help and protection of the social workers, Police and the M.E.O. of that Dominion. The work was entrusted to the Women's Section of the Ministry of Relief and Rehabilitation. All recovered persons were to be brought first to transit camps and then to the base camps at Lahore and Jullundur and finally, after scrutiny of each case by Inter-Dominion authorities, they were to be transferred to the Dominion to which they belonged. Recoveries under these arrangements continued till November 1948.

2. In the light of the experience gained in working the Agreement of December 1947, several Inter-Dominion Conferences were held and the Agreement suitably modified from time to time. These conferences were held at Delhi on the 26th February 1948, at Lahore on 13th to 15th March 1948, and at Delhi on 19th March 1948, 19th April 1948 and 16th and 17th June 1948. After June 1948 recoveries began to fall off, and the few girls who were recovered started resisting their transfer to the other Dominion. More Inter-Dominion Conferences were held at Lahore on the 5th July 1948 and 22nd July 1948. During these Conferences an agreement was reached to appoint an Inter-Dominion Tribunal to decide on the resisting cases but no Tribunal materialised owing to the failure of the Pakistan Government to nominate their member. One more Inter-Dominion Conference was held at Karachi on the 20th September 1948, but the recovery work did not gain any impetus. By then the M.E.O. and Liaison agencies were withdrawn by both Dominions and recoveries on both sides practically came to a standstill (see statements A and B).

3. At the instance of the women social workers of the two Dominions, a fresh Agreement was negotiated with Pakistan and finalised on the 11th November 1948. Recovery work was revived and entrusted to Central Recovery Office headed by Miss Mridula Sarabhai. Under the latest Agreement responsibility for the recovery of abducted persons rests with the Dominion in whose territories the

abducted persons are reported to be residing. The recoveries are to be made by the Police of the Dominion with the help of local social workers. All persons recovered are in the first instance sent to transit camps. From there they are brought, as before, to base camps at Lahore and Jullundur, which are managed by the social workers of India and Pakistan respectively. After scrutiny of each case in these camps by a Joint Board of S.P.s (one of each Dominion) the undisputed cases are restored to their families wherever they be. All cases in regard to which the two S.P.s do not agree, are referred to two High Powered Officers, one of each Dominion, who decide such cases finally. In January 1949 India promulgated an Ordinance to legalise the recovery work. Pakistan took reciprocal action only at the end of May 1949. It was understood that the reorganised scheme would be given a trial for three months and, if the results were found satisfactory, the period would be extended. As it was not possible for administrative reasons to work this scheme in full during the period of the first three months after the new Agreement came into force, the period was extended up to the 31st July 1949, the date on which the existing Indian Ordinance will expire.

4. The recovery figures in India during this period are given in statements B and C and those of Pakistan in statements A and C. In view of the disparity between the number recovered in the two Dominions the question has arisen whether recovery work in India should stop, and that only those abducted women who are being exploited for immoral purposes be recovered and kept in homes where they should be trained and rehabilitated. A suggestion has been made that the Ordinance should be allowed to lapse and the Suppression of Immoral Traffic Act should be suitably amended, if necessary. Mr. Shrinagesh, who is the High Powered Officer for India, has examined this suggestion in consultation with the Legal Remembrancer of the East Punjab Government. He is of the opinion that the Act cannot be usefully adopted for the recovery of abducted persons and he recommends re-enactment of the Ordinance with the following amendments:

- (1) The Ordinance should completely prevent interference by Civil Courts in matters connected with abducted women. Section 8 of the Ordinance should therefore be amended by the insertion of the words 'Under Section 4, or delivery or handing over under Section 7' after the words 'detention in camp' in line 1, and after the word 'detention' in line 3 of that Section.
- (2) Definition of 'abducted Person' in Section 2 of the Ordinance be amended to include children born during abduction by the addition of the words 'or children born of such families since the 1st March 1947', at the end of the definition.

5. The opinion of the East Punjab Government was sought. It has not yet been received.

6. A suggestion has also been made that the work of recovery of abducted

persons, which at present is the responsibility of the Ministry of External Affairs, should be transferred back to the Ministry of Relief and Rehabilitation.

7. The main points on which decision is needed are:

1. Whether or not the recovery of abducted women and children should continue after the 31st July 1949.
2. Whether the recovery of abducted women and children should continue to be dealt with in the Ministry of External Affairs or be transferred to the Ministry of Rehabilitation.

If the answer to (1) is in the affirmative the question whether the existing Ordinance should be re-enacted or whether the work should proceed under the Suppression of Immoral Traffic Act can be decided in consultation with the legal advisers of Government.

153. *From Humayun Kabir*

JOINT EDUCATIONAL ADVISER TO THE GOVERNMENT OF INDIA

F41-55/49D-3

New Delhi
The 11th/13th July 1949

Dear Dr. Rajendra Prasad,

Kindly refer to your letter dated 19th June 1949, addressed to Dr. Tara Chand, regarding a grant to the Vishveshvaranand Vedic Research Institute. Shri Vishva Bandhu Shastri sometime back sent us an application for a rehabilitation grant to be forwarded to the Rehabilitation Ministry. We sent the application with our remarks to that Ministry, but they have returned it saying that as the Education Ministry have in the past made grants to this Institution, they should consider the grant of any further amounts that may be necessary on account of the transfer of the Institution from Lahore to Hoshiarpur.

You are already aware of the financial position of the Government of India at the moment and also of the fact that the original budget of every Ministry had to be drastically cut down. Our budget was reduced from an original proposal of 11.10 crores to 5.15 crores and the amounts are all earmarked against specific proposals. It will, therefore, not be possible for us to give a grant to the Institute for its rehabilitation purposes but we are considering the question of increasing the recurring grant of Rs. 5,500 which we give to the Institute at present. A final decision cannot, however, be taken till about the end of this year when we will

know the financial position more accurately.

Yours sincerely,
Humayun Kabir

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

154. *From H.M. Patel*

D.O. No. 231/S/49

New Delhi
July 13, 1949

My dear Dr. Rajendra Prasad,

Please refer to your letter of the 4th June regarding one Arun Chandra Narang who was a student in the Inter-Services Academy at Dehra Dun. I am sorry it was not possible to reply to you earlier but certain enquiries had to be made. Orders have now been issued by the Defence Minister which will enable the young man to resume his studies at the Inter-Services Academy.

Yours sincerely,
H.M. Patel

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

155. *From H.M. Patel*

D.O. No. 223/S/49

New Delhi
July 13, 1949

My dear Dr. Rajendra Prasad,

Please refer to your letter of the 2nd July regarding Virkishore Prasad Sinha. As Mr. Kapadia informed you, the matter is under consideration and I hope to be

in a position very shortly to give you some more definite information as to what we can do in this case.

Yours sincerely,
H.M. Patel

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

156. *From Rameshwari Nehru*

GOVERNMENT OF INDIA
MINISTRY OF REHABILITATION
(Women's Advisory Section)

D.O. No. AW/10/53

New Delhi
The 15th July 1949

Dear respected Rajen Babu,

I am enclosing a Memorandum which I submitted about a month ago to Sir Gopalaswami Ayyangar, who is in charge of the recovery of abducted women. From my close observation of the work and of the women who are recovered, I very strongly feel that it is now too late to pursue the work with any benefit to anyone concerned. We utterly failed in recovering women who are exploited and generally indulge in recovering those women who have adjusted themselves in their new surroundings and many of them are comparatively happy in their new homes. As I am anxious to place my views before you, I am sending you a Memorandum for your perusal.

Mridula Sarabhai and I have been doing this work together for a long time, but for the past few months our points of view have differed. Amongst those who have actually done the work there are people in support of both points of view. I shall only be too happy to further elucidate my point of view if there is any need for it, and if you will kindly give me an appointment.

Yours sincerely,
Rameshwari Nehru

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

Enclosure:

(Memorandum on the Recovery of Women: Review of the Position since October 1948)

New Delhi
20th June 1949

1. *Present policy.* Nine months have passed since the 1st of October 1948 when new arrangements were made for the recovery of abducted women, and this work was transferred from the Women's Section of the Ministry of Relief & Rehabilitation and placed under the Minister of External Affairs. Smt. Mridula Sarabhai was put in charge, as the Chief All India Organiser, and was provided with a Central Office in Delhi. Four months after this transference, a special Ordinance was passed, vesting in the hands of the police the power to recover abducted women, on information received by them. The Ordinance was to remain effective till the end of July 1949, i.e., for another six weeks from the date of this Memorandum.

2. *The need for review.* The time is now opportune for reviewing the recovery work and deciding on a future policy and programme. I propose to examine the question from a threefold angle—the human, the women's, and the political—and to give my views separately on the progress achieved in the two Dominions, India and Pakistan.

3. *The work in the Indian Dominion: (a) The human angle.* I have great admiration for the enthusiasm with which the work was taken up, and there is no doubt that so far as our Dominion is concerned the figures of recovery have been encouraging. But figures are not the only criterion from which this vital work should be judged. We must assure ourselves that, in recovering the women, we have in some way advanced their happiness. This is the human angle of approach. Viewed from this angle, I am convinced that we have not achieved our purpose, and that it is inadvisable to continue the work of recovery any longer. Two years have elapsed since the original crimes were committed, and, though there may still be a considerable number of unrecovered women, to remove them at this stage from the homes, in which they have settled, would result in untold misery and suffering. Such women may be roughly classified as those who were abducted and those who were left unattached at the time of the general upheaval and were taken up by men, who later on either exploited them or converted them and married them. How many women there are in each of these two categories, it is difficult to estimate. We can only proceed on the assumption that in spite of two years of recovery work, there are, in both the Dominions, a large number of women of both types. I have tried to secure the necessary data from those who are actually doing the work, but I have been told that, in the absence of reliable statements, no accurate statistics can be prepared. But from such information as is available and from what I have seen of the recently recovered women, the

number of those who have adjusted themselves to their new life, have married their abductors or rescuers, and have happily settled in their new homes, is appreciably great. This is supported by the fact that many pregnant women and women with children have been found amongst the newly recovered women. It stands to reason that women, who have got children or are about to get children from the men with whom they have stayed for the last 2 years, could not have been objects of exploitation. It is also well known that a very large proportion of the women recovered in India were unwilling to go to Pakistan. Many of them, even after months of detention in our transit homes, were steadfast in their determination to remain with their new relatives among whom they appeared to be happy and well-settled. Reports were received of some Muslim women resorting to hunger strike in Ambala, as a protest against the attempt to forcibly send them away. But, I regret to say, their protests, their hunger strikes, their pathetic and heart-rending cries of distress, widely witnessed by both workers and outsiders, were of no avail, for they were eventually sent away to Pakistan. It will be remembered that this aspect of our work formed the subject of frequent discussion at the Conferences, and it was agreed, as a compromise, that such unwilling women should be sent to Pakistan in the first instance for one month only. At the end of this period, they should be given the option of returning to India. This was agreed to by Pakistan, but, as far as I know, no woman has come back. The explanation given to us is that the women have changed their attitude and decided to stay on permanently in Pakistan, as soon as they have crossed Indian border. I for one do not feel convinced that this was done voluntarily. It is likely that fear and other such reasons prompted the women to make such assertions. Indeed, we must admit that we have sent away these unwilling and helpless women to a future they can neither control nor choose. For, in Pakistan, there is no Search Service and the women often cannot be restored to their relatives and have, therefore, to be given, without their consent, in marriage to strangers. As we maintain no follow-up system, we have no means of ascertaining how these women have adjusted themselves to their new life. By sending them away, we have brought about grief and the dislocation of their accepted family life, without in the least promoting human happiness.

(b) *Women's angle.* Seen from the women's standpoint too, all is far from well. There are three main objections to the present methods adopted for the recovery of abducted women. Firstly, women workers play no part in the disposal of the women who have been recovered. This aspect of the work is left entirely in the hands of the Superintendents of Police of India and Pakistan. The defect arising out of such an arrangement is only too obvious. Secondly, the class of women who are actually exploited for commercial purposes and are passed from hand to hand or are lodged in places of vice, and who are the ones most in need of being rescued, are seldom traced or recovered. Our recovery programme does not reach out to them. Thirdly the women's will is not taken into consideration at all. She is once again reduced to the goods and chattel status without having the right to decide her own future or mould her own life.

(c) *Political angle.* There has been a good deal of dissatisfaction amongst the Hindus and the Sikhs, largely because of the disparity between figures of recovery of the two Dominions. The number of women rescued in India has been more than four times the Pakistan figures. Respectable and good-intentioned citizens, including Congressmen, who want to stand by the Government, have purposely refrained from making a public agitation in spite of their deep resentment. But they have come to me and have expressed their grave dissatisfaction at the way in which things are being done. The total number of Muslim women and children recovered from 1.11.48 to 31.5.49 was 1,030, while the corresponding figure of non-Muslim women and children recovered from Pakistan during the period was 158. This has only served to aggravate the growing discontent prevailing in the country, which we cannot completely ignore. This has been aggravated by the fact that because of the hasty zeal of the workers, Hindu women are sometimes arrested and taken to the camp for Muslim recovered women. Sardarni Santokh Singh, the Delhi Provincial Organiser, has mentioned that 6 such cases of wrongful arrest took place within 2 months in the Delhi Province alone. Smt. Premvati Thapar has furnished other instances of such mistakes which have caused unnecessary and painful harassment to innocent women.

I personally would not have taken any notice of the disparity between the figures of the two Dominions if I were confident that we were doing something that was right and just. But, under the present circumstances, I feel that we cannot have even that consolation.

4. *Work in the Pakistan Dominion.* I shall now review the work done in Pakistan. As I have already stated, the number of recovered non-Muslim women during the last nine months reached the paltry figure of 158. It is reported by Mr. A.C. Pathania, Superintendent of Police in charge of Recovery Staff, that even this figure was arrived at by the inclusion of evacuee cases passed off as abducted cases. For all practical purposes, there has been no change in the policy of the Pakistan Government since the new arrangements were made. Even the Ordinance, under which we are working, is not in operation in Pakistan. Social workers have not been appointed, and district camps have not been started. Mr. Pathania further reports that no transport is provided for the recovery work in West Punjab, that the police staff has not been reorganised, that the guides are never taken to the actual places where abducted girls are kept, and no practical use, therefore, is made of them, while they are in West Punjab. According to Smt. Premvati Thapar, a list of 777 women and children, with full clues, was sent to the Pakistan authorities, and out of this, not a single woman has been recovered; replies given to our workers have been evasive; the girls have been alleged to have either died or embraced Islam or have been unwilling to leave Pakistan. In some cases, recovered women were handed over to their abductors on the plea that the women had embraced Islam. This, I need not emphasise, is contrary to the Inter-Dominion agreement. I can give many other instances of the Pakistan Government's insincerity regarding recovery work, but it is unnecessary to

labour the point. Mr. Razvi, Superintendent of Police, West Punjab, has openly said that no more Hindu girls remain in the West Punjab to be recovered. This is a clear indication of the way in which the mind of Pakistan is working.

5. *Conclusion.* I, therefore, am strongly of the opinion that from the end of July we should stop recovery work altogether. The special recovery Ordinance should be cancelled, and, in its place, the Suppression of Immoral Traffic Act, which is part of our ordinary Penal Code, should be enforced. This Act may be applied with vigour and arrangements may be made for the custody, maintenance, and training of women who are thus rescued. If amongst such women we find Muslim women who desire to go to Pakistan, we can arrange to send them there. In this way, I think, we shall be fulfilling our main object and shall be reaching out to the class of exploited women who are left untouched at present. If my proposal with regard to the application of the existing Suppression of Immoral Traffic Act to the special cases of exploited abducted women is acceptable, I can give a constructive scheme for its execution.

Rameshwari Nehru
Honorary Adviser

157. From B.A. Ubani

INDONESIAN INFORMATION SERVICE
NEW DELHI

Ref. No. INFO/368/49

74-76 Theatre Communication Building
Connaught Circus, New Delhi
25th July 1949

Dear Sir,

We have been approached by the *Mimbar Indonesia*, one of the most influential Indonesian weeklies published in Batavia, Indonesia, to request some prominent Indian political leaders to contribute articles for the special 'Independence' Number to be issued on the occasion of Indonesian Independence Day on August 17.

Therefore we shall be very grateful if you will kindly extend to us your cooperation by writing an article on 'Freedom movements' all over the world or any other subject which may be suitable for publication on such great occasion. The article may be sent to us before or at the latest on August 5, 1949.

We also intend to supply the same article to other influential magazines in

Indonesia. This may establish closer relations and better understanding between India and Indonesia.

Thanking you in anticipation,

Yours faithfully,
B.A. Ubani
Director, I.I.S., New Delhi,
& Deputy Representative of the
Republic of Indonesia in India

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly
1 Queen Victoria Road
New Delhi.

158. *To Sir N. Gopalaswami Ayyangar*

1 Queen Victoria Road
New Delhi
1st August 1949

My dear Sir Gopalaswami Ayyangar,

Please refer to your D.O. No. 6725-W, dated the 9th July 1949, in which you very kindly informed me that you were willing to lend the services of Mr. H.H. Bannerjee, Housing Research Officer under the Railway Board, to the Rajpura Development Board for a period not exceeding three years. The necessary formal request was made by the Rehabilitation Ministry to the Ministry of Railways and I now understand that the Railway authorities are ready to release Bannerjee but the fixation of his salary has presented some difficulties. The advertised salary attached to the post for which Bannerjee has been selected is between Rs. 2,000 and Rs.3,000; but the Railway Board have suggested that Bannerjee's salary should be fixed at Rs.1,500 p.m. in view of the fact that he is a comparatively junior officer. Bannerjee, on the other hand, is not prepared to accept the post on a salary of Rs.1,500. His present salary is about Rs.1,100 and as a permanent Railway officer he gets various other privileges and, therefore, he does not see any reason why he should accept a difficult job outside Government service on Rs.1,500 per month.

The Rajpura Development Board have carefully considered this matter. They have been searching for an officer who is comparatively young and has good engineering qualifications and is likely to be able to deliver the goods in a new venture like the Rajpura Township scheme. From their point of view, seniority is not an important consideration. The success of the scheme will depend largely on the choice of the right type of person for the post of Administrator who is the key-

man under the Board. Bannerjee appears to have all the qualifications required for the job and the Board would like to pay him a salary of Rs.2,000 per month if the Railway authorities have no particular objection.

I realise that if an officer is given a much larger salary than his present salary, it is likely to cause difficulties for the Railway Administration. But Bannerjee's services are being lent for a post which is outside the Government service and he, therefore, will not expect to get a similar salary when he returns to his Government post after the period of deputation. Moreover, even in Government service a comparatively junior officer may sometimes be promoted to officiate in a senior post and in such a case he gets, I believe, the minimum of the scale attached to the post quite irrespective of the salary attached to his substantive post. I am told that this has happened in many instances.

In view of the urgent nature of the task before the Rajpura Development Board, they are anxious to appoint an Administrator at the earliest possible moment. They would like to appoint Bannerjee to this post on a salary of Rs.2,000 per month. I very much hope that you will see your way to agreeing to this proposal.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sir Gopalaswami Ayyangar
Minister for Transport and Railways
Government of India
New Delhi.

159. *To Sir N. Gopalaswami Ayyangar*

1 Queen Victoria Road
New Delhi
1st August 1949

My dear Sir Gopalaswami Ayyangar,

Kindly refer to my letter dated the 30th June 1949 regarding the location of the Eastern Punjab Railway workshop at Rajpura where a township is being built for the resettlement of about 60,000 Bahawalpuri refugees. The success of this township scheme will depend very much on our ability to provide the refugees with means of livelihood and both the Rehabilitation Ministry and the Rajpura Development Board were counting on the location of the Eastern Punjab Railway workshop at Rajpura. I understand from the Rehabilitation Ministry that after various discussions between the two Ministries the Railway authorities came to the conclusion that they would be prepared to locate the entire workshop at Rajpura provided they were satisfied that adequate water supply

to meet the requirements of the workshop was available there. It appears, however, that after investigations by two experts the Railway authorities did not feel certain that an adequate quantity of water would be available. In view of this consideration, it has been decided, I gather, that only the Engineering Workshop will be located at Rajpura but the P.O.W. workshop will be located at Jagadhari.

As you know, the problem of the rehabilitation of refugees is one of our major headaches and I feel sure you will agree with me that, other things being equal, preference should be given to Rajpura if the location of the workshop there helps us to resettle a very large number of refugees. I realise, however, that it is very necessary for the Railway authorities to satisfy themselves that adequate water supply is available. We have now at our disposal a rotary drilling machine imported from America which can drill a 400 ft. tube-well in 24 hours. We have already started drilling tube-wells at Rajpura and the drilling of about 10 tube-wells will be completed in two to three weeks' time. Within that period we shall be able to tell you on the basis of actual results how much water will be available at Rajpura. The investigations that have so far been made are based on conjecture and if the drilling of the tube-wells actually shows that as much water as would be necessary for your workshops could be supplied by us with ease it seems only right that a decision in favour of Rajpura should be taken. I shall, therefore, be grateful to you if a final decision with regard to the location of the P.O.W. workshop is taken after three weeks, so that within that period we can give you the results of the drilling.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sir Gopalaswami Ayyangar
Minister for Transport & Railways
Government of India
New Delhi.

160. *From Rafi Ahmed Kidwai*

New Delhi
August 2, 1949

Dear Rajendra Babu,

I wonder if you are aware that in Vindhya Pradesh searches of the houses of a large number of Congressmen were carried out by police including the house of Mr. Banaspati Singh, President of the Ad Hoc Provincial Congress Committee, formed under your award.

Banaspati Singh's house was searched in his absence. Only his son aged 14 was present. Thakur Banaspati Singh had the keys of the safe and locked boxes with

him and, therefore, locks and the safe were broken open. The paper left by the search officer shows that searches were carried out under Sec. 211/409, I.P.C.

Section 211 deals with the offence of false complaints. Thakur Banaspati Singh has not made any complaint, false or true. Obviously there is a mistake and the Section intended is not 211 but 411 which deals with stolen property and which gives the police the necessary authority to search premises without the warrant from the Magistrate. Sec 211 does not give any such authority.

The police in the search took possession only of papers dealing with Gandhi National Memorial Fund. It seems Thakur Saheb had distributed Gandhi National Fund coupons of different denominations to different Congress workers and had obtained receipts from them. The searching authority looked into the receipts and selected such of them as were from members of Thakur Saheb's group, and took possession of them. These receipts were carried away by the police while receipts from others were left behind.

The police also took possession of letters received from different parties intimating of the collection and deposit in Baghelkhand Bank to be debited to the Gandhi Fund account.

I am drawing your attention to this as you are President of Gandhi Memorial Fund and you must be aware if any complaint under Sec. 411/409 I.P.C. has been made to Vindhya Pradesh Police or Vindhya Pradesh Administrator.

I am aware of some complaints having been received by you against Sardar Narmada Prasad Singh who was reported either to have forcibly collected moneys for Gandhi Memorial Fund or to have kept a part of it aside to finance his group or party activities. I wonder if you have got the matter looked into and if there is any truth in this allegation. But assuming that it is true, does it provide any justification for the extensive searches of the houses of Thakur Banaspati Singh and his associates?

I am sure you are aware of conditions in Vindhya Pradesh: how recklessly charges are made against political opponents, and how the old court intrigues are being continued and carried on. Wide publicity was given at one time to charges of corruption against Sardar Narmada Prasad Singh. Only a few days ago Sardar Patel had made a reference to it in the Working Committee. Since then I have come in contact with many persons who know what is happening in Rewa. I have been shown documentary proof of how wildly the police has been trying to frame up charges against Sardar Narmada Prasad Singh. That the Rewa authorities have not any single complaint against Sardar Saheb with a *prima facie* case which would authorise them, with or without Magistrate's warrant, to effect a search in Sardar Saheb's house, was demonstrated when, after searching Sardar Saheb's house in the State, they reached Allahabad to search his residence there. The District Magistrate of Allahabad after going through the papers refused to be a party to illegal searches. The Government Pleader who was consulted also upheld the District Magistrate's opinion.

As I have already mentioned, I am writing this to you as the searches of the houses of more than 20 Congressmen had been made in connection with Gandhi

Memorial Funds. I am sure when you sent the complaint to the States Ministry you never thought this procedure will be adopted. I think it is but fair that you find out from the States Department why this procedure was adopted and why your letter was treated as a complaint under Section 411/409.

Yours sincerely,
Rafi Ahmed Kidwai
Minister for Communications

The Hon'ble Dr. Rajendra Prasad
President of the Constituent Assembly of India
1 Queen Victoria Road
New Delhi.

161. *From Pryns Hopkins*

1900 Garden Street
Santa Barbara, California
August 3, 1949

Dear Sir,

I have just finished writing a book, probably entitled *Western Thought and Eastern Travel*, embodying experiences and conversations I had in Pakistan and India last year.

I like to make sure that all of my quotations are essentially correct and I am, therefore, sending excerpts that refer to yourself. I shall appreciate it very much if you will let me know whether these are right.

Especially if you find some error, or wish to make some change, it would be a great favor if you could reply by air mail, in which case I will do my best to see that any necessary alteration is made before the book is published.

May this letter bring you my greetings from this part of the world, kind remembrances of our talks together, and good wishes for your health.

Sincerely yours,
Pryns Hopkins

Dr. Rajendra Prasad
President, Indian National Congress
Delhi, India.

Enclosures not included.

162. *From H.V.R. Iengar*

D.O. No.F. 41/3/49-Public

New Delhi
August 3, 1949

Dear Dr. Rajendra Prasad,

Will you kindly refer to your D.O. letter dated the 22nd July 1949 to Sardar Patel, regarding the use of handspun and handwoven cloth for the 'National Flag'?

2. The Committee which is considering the question of standardising the 'National Flag' is now fully seized of your views that all types of fabrics, including woollen and silk, for use in the 'National Flag' should be of the hand-made variety. The difficulty hitherto has been that, in spite of repeated approaches, the All-India Spinners' Association did not agree to cooperate with the Indian Standards Institution. They have, however, now agreed to cooperate with the Institution, and the Committee has accordingly decided to co-opt representatives of the All-India Spinners' Association to assist it in considering the question of the use of hand-made materials for the 'National Flag'. The Committee will meet again on the 12th of August when it is hoped that the Khadi interests will be properly represented. We propose to await the result of the deliberations of the Committee before taking any further action in the matter.

Yours sincerely,
H.V.R. Iengar

The Hon'ble Dr. Rajendra Prasad.

163. *From the temporary staff of the Constituent Assembly of India*

New Delhi
The 4th August 1949

(Through Proper Channel)

Respected Sir,

We the undersigned temporary staff of the Constituent Assembly of India, working under your kind patronage and guidance, beg to submit the following few lines before you for your kind consideration and favourable orders.

2. We are fully aware that you are very worried about the future of the temporary staff of this Sovereign Assembly, and that you are most anxious that none of your subordinates should suffer on any account, but then, Sir, as the

work of the Constituent Assembly is expected to finish shortly we are getting day by day very much panicky and worried about our future and we would humbly request you that we should not be misunderstood for submitting this representation, for it is our anxiety to stabilise our positions in life that has forced us to submit this representation.

3. The staff of the Constituent Assembly Secretariat consists of over 200 employees including class IV servants, and they are composed of the following 3 categories of staff as detailed below:

- (i) Officers who hold permanent posts in outside offices in the Central and Provincial Government Departments, and who are on temporary loan to the Constituent Assembly Secretariat. These officers who are about 30 in number here have on their return permanent posts to fall back upon.
- (ii) Temporary employees who came to the Constituent Assembly Secretariat from other Departments of the Central Government and who have 5 to 9 years of continuous Government service to their credit and who do not have any place to go back to from the Constituent Assembly Secretariat. This category of officers number about 40 in this Secretariat.
- (iii) Purely temporary employees recruited direct in the Constituent Assembly Secretariat after 1.7.1946. Among this category there are several persons here who have taken active part in the national struggle for the liberty of India, and suffered quite a lot on that score.

4. It may be relevant in connection with the permanent officers on deputation to the Constituent Assembly Secretariat from Attached and Subordinate Offices of the Central and Provincial Governments cited at category (1) above, to state that it is the definite policy of the Government of India either to confirm such deputationists in the Central Secretariat or to revert them to their parent offices if they cannot be absorbed permanently in the Central Secretariat in the near future. As has already been stated above, the number of the permanent officers on deputation to the Constituent Assembly Secretariat, who have liens on their permanent and substantive posts in their parent offices, is about 30 out of a total strength of over 200 employees (including about 70 class IV servants) of this Secretariat. They mainly comprise the following categories and their approximate numbers are more or less as indicated below:

(i) English Reporters	5
(ii) Hindustani Reporters	2
(iii) Hindi and Urdu Translators	3
(iv) Assistants-in-charge	3
(v) Assistants	4
(vi) Superintendents	4
(vii) Stenographer	1
(viii) Research Officer	1

5. Among the category at para 3 (ii) above about 10 to 15 of them are eligible to be declared quasi-permanent in the Central Government in the posts held by them, and they will ordinarily be declared quasi-permanent in the Constituent Assembly Secretariat as per the orders of the Ministry of Home Affairs. All others are holding their temporary posts in a substantive capacity and have been holding these posts for a long time now. The majority of the temporary staff in this Secretariat are suitable and eligible for confirmation in the Central Secretariat in respect of:

- (i) Educational qualifications
- (ii) Age
- (iii) Experience
- (iv) Suitability
- (v) Character and antecedents
- (vi) Medical fitness, etc.

6. As you are no doubt aware, we have been during our 3 years' service in the Constituent Assembly Secretariat done good work for very long hours, on an average of 8 to 10 hours during the session and non-session days, without caring even for our health and comforts. It may not be an exaggeration if we say that we have had to put in 10 to 15 hours of work often during session days to cope with the work, and we have done the work ungrudgingly. We have always given first priority to 'Duty' and done our work to the entire satisfaction of all concerned. We have always been assured by our officers that every effort will be made by them, and no stone will be left unturned, to help us in finding suitable and permanent posts after our work is over. While we are quite sure that your good self and the Secretary have been doing their best to find ways and means to provide the temporary staff after the work of the Constituent Assembly is over, we are getting panicky day by day as it will be difficult for us to find jobs elsewhere after some time when retrenchment of staff which has already started in most of the Departments of the Central Government is started on a large scale.

7. We understand that the Ministry of Home Affairs have under their consideration, with the approval of the Cabinet, a scheme to have a Central Secretariat Service confined only to the employees of the Ministries comprising the following categories of posts:

- (i) Deputy Secretary
- (ii) Under Secretary
- (iii) Superintendent
- (iv) Assistant Superintendent
- (v) Assistants

They have also under their consideration, it appears, schemes for a Central 'General Services and Non-officials' Service and that they are now chalking out

the details of these schemes. While we are not fully aware of the details and implications of these schemes we are given to understand that the scheme provides, inter alia, for

- (a) confirmation of certain categories of temporary employees who have completed a certain number of years of service in the Central Secretariat on a particular date in 1948;
- (b) certain benefits of service rights such as seniority, promotion, discipline, etc.;
- (c) better prospects and privileges for promotion for the deserving employees.

We should be most grateful if you will kindly consider our cases also for inclusion on the proposed Central Secretariat Service scheme and kindly have this Secretariat also included within the purview of this scheme with safeguards for our permanent absorption in the Central Secretariat. But then, Sir, we are *not* competent to express an opinion on the question of our inclusion in or exclusion from the Central Secretariat Service, and we only desire to bring the features of the scheme as are known to us from non-authoritative sources, to the notice of your good self and the Secretary who, we understand, are already examining the details of this question *with a view to see whether this scheme will benefit the majority if not the whole* of the existing staff of the Constituent Assembly Secretariat. Our permanent absorption in the Government may not be difficult, we venture to suggest, as it is hoped that a portion of the present staff of the Constituent Assembly will be drafted to form the nucleus of the future Secretariat of the Council of States.

8. We understand that it has been decided that a part of the staff of the Constituent Assembly Secretariat who are considered suitable by our officers will be transferred to form the nucleus staff of the future Secretariat of the Council of States. We also understand that there has already been created a 'Constitution Wing' in the Ministry of Law, to be staffed by suitable staff of the Constituent Assembly Secretariat, which will do the adaptation work during the transitional period till the two Houses are formed, and that it will form the nucleus of the Secretariat of the Council of States when the Elections are over, and the two Houses are ready to meet. It is also understood that under the new Constitution an office of the Election Commissioner will be set up by the President of the Union to look after and supervise the Elections in the Centre and Provinces. These two offices should be able to provide for all the temporary staff now employed in the Constituent Assembly Secretariat, and we most humbly request you to give highest priority to the temporary members of the staff while making selections to posts in these offices. We should be excused if we request, though it will look a rather selfish attitude, that all the vacancies in these two offices should be reserved for temporary staff of the Constituent Assembly Secretariat and recruitment from outside, or transfer of the existing permanent staff, on temporary deputation from other offices to this Secretariat, should be resorted to only after providing places for all the temporary employees unless

there is indispensibility of any particular individual or individuals for any particular kind of work now done by them.

9. We should be most grateful if you will kindly consider our above request with sympathy and kindly let us have your assurance that we will not be thrown out of employment after the work of the Constituent Assembly is over, and that this Secretariat staff will be provided jobs in either of the 2 offices or elsewhere in the Central Government.

Yours obediently,

1. A.V. Thomas
2. P.C. Sharma
3. M.L. Gupta
4. Mrs. M. Rau
5. Ajit Singh
6. Kushi Ram
7. M.R. Sharma
8. Amrit Lal Kapur
9. H.H. Mosavi
10. G.P. Khanna
11. Miss. S. Verghees
12. M.N. Saksena
13. Dhani Ram
14. H.R. Gupta
15. Sampuran Singh
16. D.D. Bhagwala
17. K.C. Sharma
18. A.N. Sen
19. S.N. Bhatnagar
20. H.L. Sharma
21. U.S. Puri
22. K. Raman
23. B.N. Rao
24. Pritam Singh
25. M.R. Sharma
26. Ram Lok
27. K.L. Sharma
28. Chiranjit Datta
29. Tilak Raj
30. Madan Mohan Gupta
31. Hari Shankar Sharma
32. U.N. Kamtikar
33. Pyrai Lal
34. R.L. Dugal
35. O.N. Nagar

36. H.C. Gupta
37. C.R.D. Menon
38. Bal Ram Vasudev
39. K.B. Nair
40. P.A. Pais
41. Ram Kishan
42. R.D. Vyas
43. Sukumar Gupta
44. Miss Kamal Kumari
45. R.N. Gupta
46. Hukam Singh
47. B.D. Sharma
48. I.K.K. Menon
49. R.R. Sharma
50. H.R. Gupta
51. R.D. Sharma
52. M.R. Agarwal
53. K.J. Joseph
54. S.R. Panwar
55. Dharam Vir
56. R.M. Gupta
57. Satwan Singh
58. R.K. Singhal
59. S.K. Chatterjee
60. Md. Akram
61. Chaudhri Lal
62. Cyril Budhan
63. Amar Singh
64. Kalyan Singh
65. Nazar Hussan
66. Kalam Singh
67. Sobh Ram
68. Bahadur Singh
69. Amal Kumar
70. G. Ramachandran
71. Prem Singh
72. Udi Ram
73. Raj Bahadur
74. Baman
75. Shitla Saran
76. Ram Kesh Tiwari
77. Pratap Singh
78. Prem Singh
79. Hafiz Ul Rahman

80. Narpat Ram
81. Dayal Singh
82. Bal Dev Singh
83. Tara Datt
84. Reva Dhar Pande
85. Shiv Kumar Kaushik
86. Chander Singh
87. Revat Ram
88. Sughan Chand
89. Ram Ratan Sharma
90. Navin Chandra Arya
91. P.D. Kaushik
92. Shri Ram Sharma
93. Jit Ram
94. Arunachalam
95. Ramshal Singh
96. Deep Chand Sharma
97. Salig Ram Sharma
98. Mohan Singh
99. Mast Ram
100. Om Prakash

The Hon'ble President
Constituent Assembly of India
New Delhi.

164. *From Mohanlal Saksena*

GOVERNMENT OF INDIA
(MINISTRY OF REHABILITATION)

D.O. No. 1988/PSMR

New Delhi
August 4, 1949

My dear Rajen Babu,

Kindly refer to the correspondence ending with my D.O. No. 1915/PSMR dated the 27th July 1949 regarding Mst. Bashiran Begum.

2. From a report received from the Home Secretary to the Chief Commissioner, Delhi, I find that Mst. Bashiran Begum had migrated to Pakistan during the disturbances, along with all her family members, and that the locality

in which she was residing is at present fully occupied by refugees. Her family members are also reported to have Muslim League leanings. In the circumstances, I very much regret that it is not possible for me to agree to her permanent resettlement in India.

Yours sincerely,
Mohanlal Saksena

The Hon'ble Shri Rajendra Prasad
1 Queen Victoria Road
New Delhi.

165. *From Sir N. Gopalaswami Ayyangar*

D.O. No. E49F02/42/2

New Delhi
The 4th August 1949

My dear Dr. Rajendra Prasad,

With reference to your letter dated the 1st August 1949 regarding H.H. Bannerjee, I find that Bannerjee is substantively an Assistant Engineer on the B.N. Railway on a pay of Rs.590 but is holding at present a tenure post in the Railway Board carrying a salary of Rs.800. With the special pay and dearness allowance, his total emoluments come up to Rs.1,100. It is *prima facie* preposterous for so junior an officer to demand a pay which will be more than $3\frac{1}{2}$ times his substantive pay and $2\frac{1}{2}$ times the salary of his tenure post! A considerable point was stretched not so much in favour of the officer as for meeting the insistent wishes of the Rajpura Development Board when the Railway Board, as a very special case, agreed to his being given a salary of Rs.1,500.

I think the growing tendency among certain officers to exploit Government funds in this fashion deserves to be repressed firmly. I, therefore, much regret that I shall not be in a position to permit Bannerjee to draw a salary in excess of Rs.1,500 if he is wanted by the Rajpura Board.

Yours sincerely,
N. Gopalaswami

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

166. *To H.V.R. Iengar*

1 Queen Victoria Road
New Delhi
The 8th August 1949

My dear Iengar,

Please refer to your D.O. No. F41/3/49-Public dated the 3/4th August 1949. I note that the Committee considering the question of standardising the 'National Flag' is now fully seized of my views that all types of fabrics, including woollen and silk, used in the 'National Flag' should be of hand-made variety. I am afraid, it is not enough that the Committee should know my views which have, of course, no authority and which may even be irrelevant from the point of view of standardisation when the question of 'National Flag' is under consideration. A point was raised that the cloth should be handspun and handwoven and we were assured by the Government that it was not necessary to put that in the resolution as it was assumed that the cloth will be handspun and handwoven. It is, therefore, not only my view but I hope it is still the view of the Government. If I am correct in my assumption that the Government's view does not differ from mine in this respect then I think it is necessary that the Committee should be informed of the Government's view and a directive should be given to it to consider standardisation so far as cloth was concerned with that limitation. I would, therefore, request that a directive should be issued to the Committee to that effect. I hope you will take Government's orders and communicate the same to the Committee. I may add that I am writing to the Prime Minister also.

Yours sincerely,
Rajendra Prasad

Shri H.V.R. Iengar
Secretary, Home Ministry.

167. *To V.P. Menon*

1 Queen Victoria Road
New Delhi
8 August 1949

My dear Mr. Menon,

I have received a letter from the Hon'ble Shri Rafi Ahmed Kidwai informing me that in Vindhya Pradesh searches of the houses of a number of Congressmen

were carried out by the police including the house of Mr. Banaspati Singh, President of the Ad Hoc Provincial Congress Committee, and that all this action was being taken possibly on the basis of a letter which I wrote to the States Ministry which is being treated as a complaint under section 411/409. I should like to know if that is so. I had written that letter because a purse had been presented to me as President of the Gandhi National Memorial Fund which I learnt subsequently was not made up of collections already made but that collections were being subsequently made to reimburse the amount and that a separate fund was also being collected. I felt that I owed it to the States Ministry to let it know that if I had known that the purse that was presented to me was obtained from a source other than collections made for the purpose, I may not have accepted it.

Yours sincerely,
Rajendra Prasad

Shri V.P. Menon
Adviser, States Ministry.

168. *From V. Narahari Rao*

No. P.S./196

Gorton Castle
Simla
9th August 1949

Subject: Audit of the accounts of the Rajpura Development Board.

My dear Dr. Rajendra Prasad,

Will you kindly refer to the correspondence ending with my letter No. PS 156 dated the 4th July 1949 on the above subject? As far as I can make out, the audit of the accounts of the Rajpura Development Board does not fall within my statutory functions. Nevertheless, I could undertake the audit of the Board on what is known as a 'consent' basis, i.e., subject to the payment of the audit charges. But having regard to the importance of the project from the point of view of settling the refugees and the financial interests of the Central Government it may be possible to waive the audit fees, if any. These details can be settled after I have seen the constitution of the Rajpura Development Board and the special law passed by the PEPSU Government. I shall be grateful if you will kindly arrange for the copies of the papers to be sent to me at an early date in duplicate.

I would also be glad to know the principal Executive Officer of the project so that the Accountant General, East Punjab, to whom I propose to entrust the

audit work and the function of giving advice in regard to the accounts, might correspond direct with him on all matters of detail.

Yours sincerely,
V. Narahari Rao

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
1 Queen Victoria Road
New Delhi.

169. *To V.T. Krishnamachari*

Pilani
14th August 1949

My dear Shri V.T. Krishnamachari,

I am sorry I have had to come away for a few days' rest and recoupment as my old trouble of asthma had revived and was becoming worse day by day. I was advised by my physician to have at least a week's change of climate. I, therefore, regret that I may not be able to attend the Assembly on Thursday, the opening day, and on Friday and Saturday if the Assembly meets on Saturday also. I hope to be back by Sunday and attend the Assembly on Monday. I shall be obliged if you kindly communicate this to the Hon'ble Members and convey my request that my absence which is due to ill health be excused.

Yours sincerely,
Rajendra Prasad

Shri V.T. Krishnamachari
Vice-President, Constituent Assembly
New Delhi.

170. *From V.P. Menon*

New Delhi
17 August 1949

My dear Rajen Babu,

Owing to my absence on tour I could not acknowledge till now the receipt of your letter of 8 August. I am sorry for the delay.

I do not think Rafi Ahmed Kidwai's information is correct, but I am making

enquiries from the Vindhya Pradesh Government and shall write to you again when I receive a reply.

Yours sincerely,
V.P. Menon

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

171. To Jawaharlal Nehru

CONSTITUENT ASSEMBLY OF INDIA

Council House
29th August 1949

My dear Jawaharlalji,

I understand from Sir B.N. Rau and also from what I remember you mentioned to us that there is a proposal to dissolve the present Constituent Assembly after the Constitution is passed and have a general election on the basis of the same electorate, viz., the existing Legislative Assemblies in Provinces. I think I should let you know my reactions to this proposal.

I think the first step in this direction will be an amendment of the Indian Independence Act which has made the Constituent Assembly a statutory body or to have some provision in the Constitution itself in the part dealing with Transitory Provisions. In either case the provisions will have to be somewhat detailed and to cover the following points:

- (a) Power to dissolve the existing Assembly and to hold a general election.
- (b) So far as the existing Provinces are concerned, there will be no difficulty. But we do not have Legislatures in all the States or Unions of States. The States' representatives in the present Assembly have been elected or nominated under various *ad hoc* arrangements. Some are elected by Legislatures, some nominated by the Rulers, some elected by *ad hoc* electoral colleges. There is a proposal pending before me to authorise the Chief Commissioner of Bhopal to nominate a member from there. There is no representative yet from the Vindhya Pradesh Union as there is no Legislature and there is not yet any *ad hoc* electoral college. Provision will have to be made to cover all these and other cases which I may have missed. Nomination of representatives to the Assembly is not desirable and while the nominations already made may be tolerated on account of the peculiar and complicated

situation in States, it will be difficult to justify them in a new law which we may make.

- (c) Difficulty will arise regarding representation of Muslims, Christians and Sikhs. We have decided to do away with reservation in the new Constitution but will have to provide for them in the new law. Otherwise these communities will have a just grievance that this general election is being resorted to in order to get rid of their representatives who are mostly independent members as distinguished from Congress party members.

There are certain other considerations of policy which may not be ignored. The Constituent Assembly was elected for the particular purpose of preparing the Constitution and care was taken by the Congress party which had overwhelming majorities in most of the Provinces to see that prominent non-party men whose presence was expected to be helpful to the purpose in view were elected. The new Assembly will pre-eminently be the Central Legislature. In its election the same consideration will not be given to non-party men. The result may be that the few non-party men will be eliminated and on the whole we shall have a House which will be an even more one-party House than the present one. The non-party men will have good reason to complain that the general election will result in, even if not so intended, returning one party.

If the object is to bring some fresh blood, it can be served by asking those members who are also members of the Provincial Legislatures to resign and have the vacancies filled up by election. This will bring in a pretty large new element and will not be open to criticism either on the part of people who have come through separate electorates or of independents. It will also obviate the difficulties connected with the representation of the States.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Jawaharlal Nehru
Prime Minister
New Delhi.

Copy to Sardar Vallabhbhai Patel, Birla House, Bombay.

172. *From Jawaharlal Nehru*

No. 1242-P.M.

New Delhi
August 31, 1949

My dear President,

I refer to your letter dated the 29th August regarding the proposal to dissolve

the present Constituent Assembly after the Constitution is passed.

We shall of course give every consideration to the points you have mentioned.

I might mention that there appears to be no danger of prominent non-party men not finding a place in any new Assembly that might be elected. But the fact has to be remembered.

The main reason for suggesting a new election on the old basis was a psychological one. The present Assembly has grown rather stale in the eyes of the public and any change, even a partial one, would bring an element of freshness. But the difficulties you have pointed out are obvious and deserve every consideration.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
Council House, New Delhi.

173. *From V.P. Menon*

D.O. No. D.7664-P/49

New Delhi
8th/9th September 1949

My dear Rajen Babu,

I am writing this in continuation of my letter dated August 17, 1949.

2. On enquiry it has been found that cases of criminal breach of trust under Section 409 I.P.C. against Sardar Narmada Prasad Singh were registered on complaints received from other sources. It appears that some important incriminating Government files which used to be in the personal custody of Sardar Narmada Prasad Singh had been retained by him and searches were made in order to obtain possession of those files and other documents. It is reported that some relevant papers have been found. The report that the searches have been made on the basis of your letter to this Ministry has therefore no basis in fact.

Yours sincerely,
V.P. Menon

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

174. *From Dr. Tara Chand*

D.O. No. F.78-150/49-A1

New Delhi
10th September 1949

Dear Dr. Rajendra Prasad,

The Conference of the Indian National Commission for Cooperation with Unesco which met in April 1949 resolved to undertake the preparation of a scheme to educate international public opinion in the ideas and techniques expounded by Gandhiji for the promotion of non-violence and international understanding. The Executive Board of the Indian Commission which met on the 23rd July 1949 appointed a Committee consisting of the following members to take steps for implementing the Resolution adopted by the Commission:

Dr. Tara Chand—*Convener*.
Dr. Zakir Husain
Mr. K.G. Saiyidain
Prof. N.K. Sidhanta
Mr. Jainendra Kumar

I enclose copies of the Resolutions of the Indian National Commission and the Executive Board for your information. The Committee held a meeting on the 8th September 1949 in which they discussed the preliminary steps necessary for the preparation of the Plan which will be submitted to the Unesco for the consideration of the Member States of that Organisation. In view of the importance and magnitude of the work to be undertaken, the Committee feels that the advice and guidance of other eminent thinkers in India is necessary in order to draw up a scheme which would give an adequate picture of Mahatma Gandhi's philosophy of non-violence and the techniques advocated or practised by him for the promotion of peace. The Committee therefore requests you to kindly agree to give your valuable advice to the Committee either by means of personal discussion with the members of the Committee, or, if that is not possible, then perhaps you may like to send your suggestions in a brief note which may be placed before the Committee.

Since the Plan has to be ready for consideration by the 5th General Conference of the Unesco to be held in May 1950 and we have to submit our plan by February 1950, it is desirable that the plan should be ready by the end of 1949. It is

hoped that you will kindly let us have your acceptance of our request as soon as possible.

Yours sincerely,
Tara Chand
(Convener, Committee for the Preparation
of a Plan for the promotion of
World Peace in accordance with
the ideals of Mahatma Gandhi)

The Hon'ble Dr. Babu Rajendra Prasad
1 Queen Victoria Road, New Delhi.

Enclosures not included.

175. *From Jawaharlal Nehru*

New Delhi
10 September 1949

My dear Rajendra Babu,

As the session of the C.A. is drawing to a close, we shall soon have to decide about the manner of election of the President of the Republic for the interim period till general elections are held. Apart from the manner of election it is desirable to be clear in our minds about the person to be put forward. In such a case a contested election for this brief period between our top-ranking colleagues would be most unfortunate. Some time back there was some rumour in the Press and you were good enough to issue a contradiction. I am told that rumours are again afloat and some members of the C.A. are more or less canvassing. I feel this must be ended.

I have discussed this matter with Vallabhbhai and we felt that the safest and best course from a number of points of view was to allow present arrangements to continue, *mutatis mutandis*. That is that Rajaji might continue as President. That would involve the least change and the state machine would continue functioning as before. Of course you would be a very welcome choice as President but that would involve a change and consequent rearrangements. Also in a way to push out Rajaji at this stage would be almost a condemnation of his work. That would be most unfortunate. It was for these reasons that Vallabhbhai and I felt that Rajaji's name should be put forward for unanimous election. I hope you agree. In this matter it would of course be fitting for you to suggest this, rather than for any other person.

Yours sincerely,
Jawaharlal Nehru

176. *To Vallabhbhai Patel*

1 Queen Victoria Road
New Delhi
11 September 1949

My dear Vallabhbhai,

I received a letter from Jawaharlalji yesterday regarding the election of the interim President of the Republic.* I am enclosing a copy of my reply to him which expresses my feeling.

I hope you are doing well and the improvement in your health is maintained.

Yours sincerely,
Rajendra Prasad

The Hon'ble Sardar Vallabhbhai Patel.

*See Jawaharlal Nehru's letter to Dr. Rajendra Prasad, dated 10 September 1949.

Enclosure:

1 Queen Victoria Road
New Delhi
11 September 1949

My dear Jawaharlalji,

I received your letter regarding the election of the interim President of the Republic yesterday. I have never been a candidate for any post or honour and when I issued the statement that there could be no question of any contest between Rajaji and myself, I did so without any mental reservation. I should have thought that at least you and Vallabhbhai would accept that statement as genuine and would not create a contest between Rajaji and myself and consider it necessary to reject me. If I had come to know even in an indirect way that the matter was engaging your attention I would have gladly told you that there was no occasion for you to choose between us and that I would ask all who were interesting themselves in this election to whole-heartedly support Rajaji. It would not then have been necessary for you to give me reasons for your decision and it would have been my business to convince those who thought otherwise that the right course was to elect Rajaji unanimously. It would have given me real joy and satisfaction to do so. But this meant that I enjoyed your confidence, which I feel I had no right or business to expect. It would have required at least in this matter your sharing your views with me. As it is, I am required to accept and act

upon a decision which has been taken without even the courtesy of consultation, although it concerned me intimately as my name had been dragged into it by you without my knowledge or authority. I am deprived of the chance of flattering myself with the thought that I have not been judged by you and rejected—and rejected too on your reasoning after condemnation and for reasons which cannot bear scrutiny.

You say that my election would involve change and rearrangement and that it would be almost a condemnation of Rajaji's work. It is not clear why change and rearrangement in this respect should be avoided, when the whole Constitution under which we have so long worked is going to change, when the Assembly which has prepared the Constitution is under your advice going to be dissolved and re-elected and that when in a great part of the country there is no suitable electorate or even an ad hoc electorate of the kind that once elected the present Assembly. One would have thought that all this meant a much greater change and rearrangement than any involved in the election of a person to the post of the President of the Republic created under the new Constitution in the place of the Governor-General appointed by the King of England. There is no condemnation involved or implied if a man is not reappointed to a post or to one similar to that which he has held on the expiry of the term of his office in due course, unless he is keen on being reappointed and is rejected. I have no reason to think that Rajaji has been keen on being reappointed, but you know better. I wonder if it has struck you that on that basis it will be a greater condemnation of his work, if somebody else is set up for the Presidentship at the end of the interim period. It should not surprise you if I feel that on the same reasoning by making me a candidate and then rejecting me you and Vallabhbhai have condemned me and all that I have stood for and done during all these years in association with you. Perhaps it has been stupid of me to think that I have been one of your colleagues deserving your confidence.

You have closed your letter with the expression of a hope that I agree with your decision and a suggestion that I should put forward Rajaji's name. Freedom to agree implies freedom to disagree. No question of agreement arises when one is confronted with a decision which one is expected and required to carry out. Perhaps it will not be proper for me while I continue to be the President of the Constituent Assembly to nominate a candidate for election. But that does not present any insurmountable difficulty. I will resign the Presidentship as soon as the work of constitution-making which the Assembly has in hand at present is completed and before the time for nomination comes and make myself free to carry out the decision which you have taken.

Please excuse the length of this letter and the feeling that I cannot help entertaining that I deserved a more decent exit, particularly when I did not want an entry. I shall try to retain the same feeling towards you both, although now from a distance, and hope I will give you no cause to think that such kindly



Standing (left to right): Sir Shafaat Ahmad Khan, Dr. John Matthai, Baldev Singh, Jagjivan Ram, Dr. Rajendra Prasad, Jawaharlal Nehru, Vallabhbhai Patel, C. Rajagopalachari, Asaf Ali, Syed Ali Zaheer, C.H. Bhabha

Sitting (left to right): S.K. Sinha, Dr. Khan Saheb, Harekrushna Mahatab, Ravishankar Shukla, Khizar Hyat Khan, T. Prakasham, B.G. Kher, Govind Ballabh Pant, Gopinath Bardoloi



Dr. Rajendra Prasad with Jawaharlal Nehru and C. Rajagopalachari

feeling as you ever bestowed on me was misplaced.

Yours sincerely,
Rajendra Prasad

The Hon'ble Pandit Jawaharlal Nehru.

177. *From Jawaharlal Nehru*

New Delhi
11 September 1949

My dear Rajendra Babu,

I have just received your letter of today's date. It is nearly midnight now, but I hasten to reply.

I have been distressed to read your letter and to realise that anything that I have written or done should have made you to come to the conclusions that you indicate. May I, on my part, suggest that you have rather misjudged me and perhaps indirectly Vallabhbhai? Vallabhbhai, in any event, has nothing to do with what I wrote to you. I wrote entirely at my instance without any reference to Vallabhbhai or consultation with him.

Perhaps I might state the facts as I know them. There was no question at any time, and in the slightest degree in my mind, and so far as I know, in Vallabhbhai's mind, about any contest for the Presidentship. Long ago, that is, about a year ago, I gave some casual thought to this matter. I might have mentioned it to Vallabhbhai, but I do not remember doing so. Rajaji had been functioning as Governor-General for some months. At that time we hoped that the Constitution may be passed much sooner and in fact that it might be promulgated some time in 1949. It struck me that it would be the easiest course for us to adopt to ask Rajaji to continue or rather to function as President for the relatively brief period between the promulgation and the new general elections. I thought all this in terms of continuation. There was absolutely no difficulty in electing any other person. But it seemed to me a simpler affair, unless there is some special reason against it, to continue this arrangement, which was working well. I had not then the faintest notion that perhaps you might care to agree to be the President. I was thinking to some extent in terms of the large diplomatic personnel here and the numerous formalities and functions that the Governor-General has to observe. It had taken some time for Rajaji gradually to adapt himself to these niceties of protocol. To have a change meant going through those processes again. For these reasons I thought Rajaji might as well continue. As I have said above, I never thought of this matter in terms of Rajaji or you. Partly I think this was so because I had hoped that you would be free to devote yourself to the vital task of running the Congress organisation, to which I attach the greatest

importance. Indeed I could see of no other person who could do this effectively. Rajaji of course could not, as he had lost touch with the Congress organisation to a large extent some years ago.

I do not think I spoke about this matter to anyone, certainly not to Rajaji. As the constitution-making prolonged itself, the subject dropped from my mind. It was only some little time back when there was some talk in the newspapers that I remembered it again. You will remember yourself mentioning this to me and later you issued a small Press Note on the subject. Again I quite forgot about the matter.

I have not discussed this with Rajaji and, except for a casual mention of the reference in the Press, I have not again spoken to Vallabhbhai about it. Only when you issued the Press Note or round about that time there was some talk with Vallabhbhai.

Three or four days ago, one or two members of the Constituent Assembly rather casually mentioned to me that there had been some further mention in the Press and that some members were talking about it. All I said was that I could not conceive of a contest for the Presidentship between two persons like you and Rajaji. Suddenly I discovered yesterday that this question was no longer a distant one and that it might have to be decided, if not formally then informally, fairly soon. It was this information that led me to write to you yesterday. As you will have noticed, I wrote in my own hand, because I did not wish anyone to see what I have written to you. Vallabhbhai knows nothing about my writing to you and I have not discussed this subject at all with Rajaji.

You will notice that nothing of the kind that I have unfortunately led you to believe from my letter actually took place. There is no question of Vallabhbhai or me trying to place before you some kind of an accomplished fact. I am sure Vallabhbhai had and has no such intention and certainly I did not have it. I started with the presumption that there should be and could be no contest for the Presidentship between you and Rajaji. Rather suddenly when I found that matters might develop very soon, I decided to write you on my own behalf. I mentioned Vallabhbhai's name in my letter because about the time you issued the statement to the Press, there had been some talk between us. Indeed it was because you had issued that statement that I ventured to write to you, otherwise I might have hesitated.

I am deeply sorry that I should have hurt you in any way or made you feel that I have been lacking in respect or consideration for you. Please believe me when I say that this impression of yours is completely wide of the mark.

As you know, I shall be going away from India in about three weeks' time and I shall be away for five weeks or so. Probably the Constituent Assembly will decide this as well as other issues in my absence.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Dr. Rajendra Prasad
New Delhi.

178. *To Vallabhbhai Patel*

1 Queen Victoria Road
New Delhi
16 September 1949

My dear Vallabhbhai,

I enclose a complete set of letters that have passed between Jawaharlalji and myself, including one of which I sent you a copy earlier. I may mention that Jawaharlalji had written his first letter in his own handwriting and marked it as also the subsequent letters secret and personal. My letters have also gone to him in my handwriting to preserve secrecy in this delicate matter. The delay in sending you copies has also been due to the same reason.

I hope we shall be closing the present session of the Assembly on Sunday (18 September), and shall have a meeting even on Sunday, if necessary. We propose to begin the next session for completing the second reading on 6 October and the November session for the third reading on 14 November. The Prime Minister is leaving for America on 6 October and not returning till 14 November. We are, therefore, proposing the above programme. I hope it will meet with your approval, as I understand you are returning here long before 6 October and it would make no difference to you whether we commence the session on that date or a day or two this way or that.

I hope your progress is maintained. I was better but have again had a setback. I hope that when the taxing work of the Assembly is over, I may improve. We have had to sit seven hours a day and may have to do so again tomorrow and the day after.

Yours affectionately,
Rajendra Prasad

Sardar Vallabhbhai Patel.

Enclosures not included.

179. *From Vallabhbhai Patel*

Camp: Birla House
Bombay 6
16 September 1949

My dear Rajenbabu,

Thank you for your letter of 11 September 1949.

2. Since then, I have also had a talk with you on the telephone. You told me on the telephone that you would be sending a copy of your final letter to Jawaharlal. I waited for it until yesterday, but I have not received a copy so far. I am, however, hastening to write to you, undoubtedly because of the distress and depth of feeling with which you have written your letter. Moreover, as a lifelong colleague of yours, I owe it to you to do my best to relieve your mind of any burden that might be weighing on it.

3. Jawaharlal has indicated to me in brief from memory what he wrote to you. He did not keep a copy because he wrote to you in his handwriting. Therefore, he could not send me a copy of the original letter. He has also sent me a copy of your letter to him and his further letter to you. I am sure it must have been farthest from Jawaharlal's mind to cause you any pain. You know how overworked he is and how busy his time is. In fact, my heart goes out to him in sympathy in the great and almost intolerable burden that he is carrying. One cannot, in these circumstances, expect him to weigh every word that he writes or, even at times, to realise the full import of what he is writing. In these circumstances, the subsequent letter which he has written acquires an importance of its own and explains to you fully how his mind was working and what led him to write to you. I am sure, you will accept that letter as finally disposing of the matter. Indeed, I am very glad to receive just now the further correspondence that has passed between him and you and to know that you have accepted that letter in the right spirit.

4. As Jawaharlal has explained to you, there was no recent talk between him and me about this matter at all. The only time we had a talk was in June when the article in the *Blitz* was brought to my notice, which purported to say that there was a contest going on between you and Rajaji about the Presidentship of the Union. I felt that it was not desirable that there should be an impression created in the public mind that two topmost Congressmen, who had been lifelong colleagues, are contestants for a position of power and prestige. None of us has ever looked at such places as prizes worthy of contest. Due to the love and affection and mutual trust and confidence between us, we have always succeeded in resolving such matters amicably and without any public controversy. I, therefore, felt that it would be undesirable for such a situation to be canvassed in the public for long involving, as it did, two devoted and loyal colleagues of Bapu. I, therefore, sent word to you through Satyanarayan Babu to issue a statement and I was genuinely happy when you did so; not that I had any misgivings about your attitude in the matter, but because I felt that that would effectively allay the apprehensions in the public mind.

5. After that, the other day, Satyanarayan Babu telephoned to me saying that the clause regarding interim arrangements for the Presidentship of the Union would be coming before the Drafting Committee the next day and that this might again revive that controversy. I, therefore, sent word to him that the matter might, if possible, be kept pending until I return, so that we could settle the matter in the best manner possible with the least amount of controversy and with

the maximum of goodwill and amity. In fact, I had no doubt in my mind that the solution of this problem would not present any difficulty at all. But this talk on the telephone with Satyanarayan Babu took place only two days previous to the day you phoned to me.

6. I am sure you will agree that between us, who have spent a lifetime with each other mutually accommodating our views and solving even more serious controversies patiently and without any bitterness and as members of one family there is no room nor occasion for any misunderstanding or distance. We have been frank and candid with each other without hurting the feelings of anyone. There is no reason why we should be different today and there should be any hesitation or aloofness between us. Unfortunately, each one of us is so heavily involved in our respective engagements that the occasions for meeting each other and sharing each other's confidence are becoming less and less frequent. If we could meet oftener, I am sure, we could not only share each other's difficulties, but we could also give a more effective lead to the organisation, which unfortunately is showing signs of deterioration. I feel so unhappy about it. If things had been different, I am sure, a matter like this would not have been left to be disposed of by correspondence, but would have been dealt with on a personal level which, in any case, is much more effective and satisfactory. Unfortunately, our physical infirmities have increased our difficulties of having frequent personal contact.

7. In the light of all that I have said above, I am sure you will review the matter again and not yield to some of the sentiments and feelings which you have expressed in your letter to Jawaharlal. Let the matter blow over completely and you should dismiss from your mind that any distance can come between us. We shall be near each other as we have been all these years. Our mutual regard and affection have stood the test of a great struggle. All other tests through which these may have to pass are bound to be comparatively insignificant.

8. We can talk about it further when I return to Delhi. For the time being, it would give me some relief if I got your assurance that you have dismissed this from your mind altogether.

9. I hope you are feeling better now. I myself am feeling better now and hope to return to Delhi, if all goes well, on the 25th or 26th of this month.

With affectionate regards,

Yours,
Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
New Delhi.

180. *From Shri Ram*

GOVERNMENT OF INDIA
MINISTRY OF FOOD
(Subsidiary Food Production Committee)

D.O. No. SF.12(3) 49

Jamnagar House
New Delhi
17 September 1949

My dear Dr. Rajendra Prasad,

You may be aware that the S.F.P.C. had arranged to supply banana suckers to intending growers in Delhi in cooperation with the Horticultural Division of the W.M.P. Ministry. The Horticultural Division has also arranged for ample supplies of sweet potato vines. We arranged for home deliveries and although we have already exhausted the first supply of banana suckers the response from Delhi was very poor. Our aim is to interest everyone to grow as much of food crops as is possible in everyone's garden and the cumulative effect of such individual effort, small though it may be, is likely to be of considerable importance in overcoming the food shortage. It would also be of great encouragement to members of the general public if they know that Hon'ble Ministers and other leaders are also making the maximum effort in this direction. I would, therefore, be very glad if you would please let me know how many dozens of banana suckers and how many hundreds of sweet potato vines we should arrange for delivery in your house. A nominal price of four annas per banana sucker and Re.1 per 100 sweet potato vines is charged to meet incidental expenditure. I am enclosing a copy of notes on the cultivation of bananas and sweet potatoes.

Thanking you,

Yours sincerely,
Shri Ram
Vice Chairman

Subsidiary Food Production Committee

Enclosure not included.

181. *To Vallabhbhai Patel*

New Delhi
19 September 1949

My dear Vallabhbhai,

Please accept my thanks for your letter of the 16th. I hope you have by now

received a full copy of all letters that have passed between Jawaharlalji and me which I sent to you two or three days ago.

I entirely agree with you that Jawaharlalji has been carrying an almost unbearable burden and it is the duty of all of us not to add to it if we cannot lighten it. I am, therefore, sorry that anything that I wrote caused him distress and pain and you will notice that I have apologised to him without any reservation in my letter of 14th instant. I have to apologise to you for having written to him about you and you, I hope, will accept it. You will notice that in his letter of the 10th which was the first letter, your name was mentioned twice by Jawaharlalji and I naturally thought that his letter represented the decision of you both. I now know that it was not and as soon as I got Jawaharlalji's letter of the 11th giving me this information I hastened to telephone to you, so that you might not be taken aback.

As I have said to Jawaharlalji, the impression which expressed itself in my letter of the 11th was the result of his letter read in the context of a sequence of events and I would like you to read the letter of the 10th placing yourself in my position. I felt that I deserved to be consulted before a decision was taken particularly when I had made a public statement that I was not a contestant, and there was no occasion to sit in judgment between Rajaji and me. I do not wish to repeat all that I have written in my letters to Jawaharlalji and only hope that you will judge me and what I have done after reading them.

I have felt not now but for a pretty long time that neither you nor Jawaharlalji ever think of consulting me even in matters of great public importance except formally when we met in the Working Committee, or when I was a member in the Cabinet. I did not agree with Kripalani as I understood your difficulties, although I complained on more than one occasion that we should at least be informed of important decisions, at least simultaneously with the Press, so that we might not be placed in a false position. But that was a different matter altogether. For some reason or other the public associates the names of three of us in all matters and looks upon us as acting in all matters in unison. It is right that they should do so. That strengthens the position of the party. But it also implies that I should at least be kept informed, if not consulted which may not be possible or even desirable in all matters and on all occasions of important decisions taken and I should not be left to gather my information from newspapers or gossip. That has been the position for a pretty long time. I have mentioned all this only to show how all this has been leaving its effect on me. Not that I do not trust you both to do the right thing but only to avoid awkward situations which arise very often.

As regards this matter of Presidentship, as I have said, there can be no question of a contest between Rajaji and myself, and, I might also say, between anyone else and myself. I have never thought of these positions in terms of jobs and posts and would not for anything at this fag end of my life do so. As I have said what hurt me was the impression that you should have thought in spite of my disclaimer that there was going to be a contest, and that the canvassing that was going on

would be ended by giving a decision. I know now that that was not Jawaharlalji's intention and you of course knew nothing of it, and the letter was the result of something that Satyanarayan Babu had told him. Satyanarayan Babu saw me yesterday. He had heard that Panditji had written to me a letter and he wanted to explain the position. You had also told me that he had telephoned to you about the talk among Assembly members. He said that he had assured both you and Panditji that there was much feeling among party members and that 85 per cent of the members favoured my being President and for that reason he had suggested postponement of consideration of the matter till you return. Of course I do not know what is passing among the members beyond what he has told me and that some members have approached me with a request not to say 'no' if they want my name to be proposed. I have given them the reply that I have mentioned in my letter to Jawaharlalji. I desire only to assure you that I have no interest in the matter at all.

I am going to Pilani today and hope to return in time for the reopening of the next session of the Assembly on 6 October. I am told a meeting of the Working Committee some days earlier is likely. If that materialises and my health permits I may return earlier if required. I have managed to sit through the long sessions of the Assembly. The work was very taxing but through God's grace and your blessings, I have been able to see it through. I need rest which I hope to get in Pilani, although this stay will be rather short. I am glad improvement has been maintained in your health and you are returning on 25th or 26th. I hope to meet you on 6 October latest.

Yours affectionately,
Rajendra Prasad

182. *To S.N. Mookerji*

Camp: Pilani
Rajasthan Union
20 September 1949

My dear Shri Mookerji,

I am herewith enclosing a draft of the letter to be issued to the various Governments. It may be issued with such changes as you or Iengar might consider necessary. I have not mentioned one thing which you may do if you consider it necessary and that is a paragraph indicating the allowance and other expenses which members of the conference will be paid. Possibly that

information might be of assistance to the local Government.

Yours sincerely,
Rajendra Prasad

Shri S.N. Mookerji
Jt. Secy., Constituent Assembly of India
New Delhi.

Enclosure:

(Draft of letter)

I am desired to draw your attention to a resolution passed by the Constituent Assembly (copy enclosed) and to seek the assistance of your Government in implementing the same. It will be noticed that the President has been authorised to get translations in the major languages of India prepared of the Constitution. The Constitution is now almost ready, having passed the second reading stage except for a few Articles which will be passed during the next session of the Assembly in the second week of October. It is not likely that any major changes will be made at the third reading stage which will take place in November. The work of translation can be undertaken therefore as soon as the second reading is done, that is to say, towards the end of October or beginning of November.

Translations of the Draft Constitution were prepared by Committees appointed by the President in Hindi, Urdu and Hindustani, and are ready. Since then some changes have been made during the second reading stage and a Committee of Experts is examining the whole of the Hindi translation. Amongst its members are scholars of repute—Dr. Suniti Kumar Chatterji of the Calcutta University, Shri Yashwantrao Date who is the author of a dictionary of constitutional, legal and administrative terms from English into Marathi, Shri Jaychandra Vidyalankar who has made a special study of ancient Indian history. The Hon'ble Shri GhanshyamSingh Gupta, Speaker of the Legislative Assembly of C.P. & Berar, who was the Chairman of the Committee which prepared the Hindi translation, is the Chairman of this Committee of Experts.

One difficulty which has been experienced by all who have attempted a translation of a constitutional document like the Constitution of India which has been prepared in the English language and which uses expressions which have acquired special significance in that language has been to find equivalents for them in the Indian languages. Even common expressions like Legislative Assembly, Legislative Council, President, Prime Minister, Minister have different equivalents in the various languages of India. This is so even in languages which are of Sanskritic origin and which have adopted words of Sanskritic origin for them. It is considered desirable to have as far as possible a uniform vocabulary of equivalents of English expressions used in the Constitution in the various languages. The attempt of the Expert Committee which is revising the Hindi translation is to use expressions which may be expected to be acceptable to the various Indian languages. But obviously that Committee is too small to give any authoritative opinion in such a matter. It is

therefore proposed to convene a conference of scholars representing different major languages of India who could after discussion and consultation arrive at conclusions which would generally be regarded as authoritative. One common equivalent in the various Indian languages for a particular English expression of more or less a technical nature will obviously be of great advantage, particularly when the time is reached when all our laws and rules and regulations will be framed in the Indian languages in the different States. The proposed conference will be held sometime in the fourth week of October and will sit till it finishes the work according to its convenience. It is requested that your Government may kindly send two names of scholars of each language that is prevalent in your Province or State. In making the selection it is expected that your Government will select persons who have special qualifications for the work in view and whose verdict may be considered more or less authoritative in the languages which they represent. In this connection the Government may consult literary and other organisations that may be in existence and whose opinion counts in the Province in such matters. It will also be desirable for your Government to obtain the consent of the persons nominated to attend the conference which may take some days. On receipt of such names invitations indicating the exact date, time and place of the conference will be sent. I may mention however that if the size of the conference becomes too large for the work in hand the President may select only one of the two names sent by your Government. It is requested that immediate action may be taken so that invitations may be issued well in advance of the conference.

It will also be helpful if the Translation Department of your Government or any other competent body supplies the equivalents of English expressions used generally in your Province as it will be obviously desirable to select as far as possible from amongst current expressions consistently with accuracy. For this purpose I am enclosing copies of a list of English words with constitutional and legal import used in the Constitution. More copies will be supplied if required. Once the vocabulary is settled, the work of translation will become comparatively easy and that may be undertaken either by the Constituent Assembly Secretariat or by your Government, as is considered convenient. An early reply indicating the action being taken would be greatly appreciated.

Enclosures not included.

183. *From Sudhir Ghosh*

D.O. No. RHB-22(1)49

New Delhi
21st September 1949

My dear Babuji,

You will remember that some months ago you received a letter from the

International Voluntary Service for Peace offering the services of a number of social workers from Europe and we intended to make use of the services of some of them in the Faridabad and Rajpura projects. Mr. Derek Edwards on behalf of the I.V.S.P. has now written to Horace Alexander to say that these friends will be able to come out sometime in November; but before they leave Europe they would like to have a definite assurance from those sponsoring their work in India that they would be provided with the minimum expenses. I enclose a draft letter which I thought we might send to them. I have suggested that the Faridabad and Rajpura Development Boards should arrange for their food, accommodation and transport and travelling allowances for their journey from port to these centres and back. I have also suggested a small sum of Rs.50 per month per head as pocket money.

2. I am sending the draft letter through Chakradhar Babu to Pilani for your approval and signature.

Yours sincerely,
Sudhir Ghosh

The Hon'ble Dr. Rajendra Prasad
Pilani, Jaipur.

184. *From G.V. Mavalankar*

Council House
New Delhi
The 21st September 1949

Dear Dr. Rajendra Prasad,

You are probably aware that a Conference of all the Presiding Officers of Legislatures of Provinces, States and States Unions in India (including the Deputy Presiding Officers) was held under my Chairmanship during the first week of September 1949, at New Delhi. One of the questions which came up for consideration at the Conference was the uniformity of terminology in the national language in the various Legislatures in the Indian Union. The Conference came to the conclusion that it is necessary to take early steps for preparing constitutional, legal and other kindred terms which should be common to all the Legislatures in the Indian Union.

2. You have already appointed an Expert Committee of which the Honourable Shri Ghanshyam Singh Gupta, M.C.A., Speaker, Central Provinces Assembly, is the Chairman, for the purpose of preparing the translation of the Draft Constitution in the national language. This translation

will no doubt contain a large number of words which can be used in the Legislatures but the number of such words is not likely to be exhaustive for the purposes of the Legislatures. The Conference, therefore, decided that I should request you to take steps to extend the scope of the Expert Committee so as to include the work of preparing uniform terminology for use in the various Legislatures.

3. The Conference is also of the view that, before the Committee finalises the words, it should consult the various Provincial Legislatures through their Presidents and Speakers who will take action in their respective spheres for examining the terminology and make suggestions to the Committee who may consider the same and then finalise. If considered necessary, a few more experts may be co-opted to the Committee for this purpose in consultation with its Chairman.

4. I hope it will be possible for you to accede to the request of the Conference. Thanking you,

Yours sincerely,
G.V. Mavalankar

185. *To the Cabinet Secretary*

Pilani (Rajasthan Union)
23rd September 1949

May I draw your attention to an announcement purporting to have been issued by the Cabinet Secretariat which has been published in *The Statesman* which has reached me here this morning? It is to the effect: "The Government with the approval of the Speaker have decided to call an emergent session of the Constituent Assembly (Legislative) on Wednesday, October 5, to consider the question of devaluation of the rupee and important consequences following from it. The Assembly will meet at 11 a.m. on that date." Under the Constitution neither the Government nor the Speaker nor both jointly are entitled to call a meeting of the C.A. (Legislative). The C.A. (Legislative) is summoned and prorogued under the orders of the President of the Constituent Assembly under the Constitution as it stands. So far as the meeting of the fifth is concerned, I was approached by the Deputy Secretary of the C.A. (Legislative) with a request that I should approve the calling of the meeting on the 5th for purposes mentioned in the announcement and I gave the necessary approval. So in actual fact the meeting has been convened strictly in terms of the Constitution but the announcement of the Cabinet Secretariat is not correct in terms of the Constitution. The mistake is possibly due to the ignorance of the real constitutional position. Although it has made no practical difference in the present case, it is desirable that the law and the constitution should be strictly adhered to

both in spirit and letter and the announcement seems to me to offend against constitutional propriety.

Yours sincerely,
Rajendra Prasad

186. *To G.V. Mavalankar*

Camp: Pilani
(Rajasthan Union)
23rd September 1949

My dear Shri Mavalankar,

I have received your D.O. No. 6748/49A dated the 21st instant drawing my attention to the resolution of the Conference of all the Presiding Officers of Legislatures of Provinces, States and States' Unions in India regarding the preparation of a common terminology of constitutional, legal and other kindred terms. You may have noticed that the Constituent Assembly has passed a resolution authorising me to get a Hindi translation of the Constitution published under my authority and my certificate before the 26th January and also to get translations in other major languages of India prepared and published as speedily as possible. As you are aware, the work of Hindi translation has made headway. A translation of the original draft was prepared by a Committee under the Chairmanship of the Hon'ble Shri Ghanshyam Singh Gupta. Since then the Draft Constitution has itself undergone a considerable change and revision of that translation has for this and also other reasons become necessary. I accordingly appointed a Committee of Experts again under the Chairmanship of Shri Ghanshyam Singh Gupta to revise the translation. Amongst its members I took scholars of repute whose opinion could be valuable. Dr. Suniti Kumar Chatterji, a distinguished philologist and professor of the Calcutta University, Shri Yashwantrao Date who has prepared a dictionary from English into Marathi of legal terms, Shri Jaychandra Vidyalkar, who has made a special study of Ancient Indian History and published some works of great value in the Hindi language, Shri M. Satyanarain, who speaks Telugu but knows some of the other South Indian languages and who has been in charge of the Hindustani Prachar Sabha of Madras for many years, and Shri Rahul Sankrityayan who was the President of the Hindi Sahitya Sammelan at the time the appointment was made and who is a scholar of repute. They have been revising the translation and have practically revised or retranslated almost all the articles of the Constitution that have been so far adopted in the second reading. When I made this appointment I had only in view the Hindi translation but I felt even at that stage that it would be a great advantage if we could evolve a constitutional and legal terminology which could be generally accepted by other languages of India also. It was for this

reason that I took care to have scholars who could speak with some authority for other languages also and utilise, to the extent it was found possible, necessary expressions used in ancient Indian and in Sanskrit literature generally. I had appointed Professor Mujib of the Jamia Milia so that expressions in current use derived from Persian or Arabic might also be utilised but unfortunately he could not see eye to eye with other members of the Committee and resigned. I understand that the aim of the Committee has been to use expressions which will be acceptable to other languages also.

Since then the Constituent Assembly has passed certain articles adopting Hindi as the official language of the Union and authorising a State to adopt any of the languages in use in it or Hindi as the language or languages to be used for official purposes in that State. It has also in another connection mentioned 14 languages as the languages prevalent in different parts of the country. English will be used for fifteen years within which time, it is hoped, Hindi will be in a position to take its place for all-India purposes. It has, therefore, become all the more necessary to have a legal and constitutional terminology which will as far as possible be common to all the major languages of India so that bills and other measures passed by State Legislatures and the Parliament may use the same terms to express the same meaning. I have, therefore, taken steps to convene a conference of experts in the various languages which would be asked to evolve a terminology which will be common to all the major languages so far as the constitutional and legal concepts are concerned. I am requesting the various Provincial and State and Union Governments to send two names of such experts to represent each language that is current in their respective areas. I propose to have this conference towards the end of October if we can get the names in time. A list of English expressions used in the Draft Constitution is also being sent to the Provincial Governments to furnish the Conference with equivalents for those words in current use in their respective languages. I have for the present confined this to the terms used in the Constitution for the reason that the Hindi translation has to be published before the 26th January and the other translations as speedily as possible. I was also not aware of the resolution of the Conference of Presiding Officers of Legislatures to which you have made a reference. But it will be easy to extend the terms of reference so as to include not only the expressions used in the Constitution but also other expressions which may be required to be used by Legislatures and generally in law.

I am afraid on account of the shortness of time it will not be possible to consult the Legislatures before the terminology is finalised for the purposes of the translation of the Constitution. But I am going to send out to the Presiding Officers of the Legislatures copies of the list of English expressions with a request that they might also furnish the Conference with their equivalents in the languages in use in their jurisdiction. I may ask the Conference to take up the larger work suggested by your Conference after this work is done or if I find that it can be conveniently and expeditiously done simultaneously with it. I have not got any list of other English expressions outside those used in the Constitution

ready at present and that may involve delay which will have to be avoided if the resolution of the Constituent Assembly has to be implemented in time. But the Conference certainly may be asked to continue its work and complete it as desired by your Conference.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri G.V. Mavalankar.

187. *To S.N. Mookerji*

Pilani (Rajasthan Union)
23 September 1949

My dear Shri Mookerji,

I am enclosing a letter which I have received from the Hon'ble the Speaker* and also a copy of the reply which I have sent to him for your record.† You will notice that I have promised that I would be sending a list of English expressions to the various Provincial and State Legislatures with a request that they should also furnish the equivalents for them as current in languages of their respective areas, as you have done to the Provincial Governments. This should be complied with.

Yours sincerely,
Rajendra Prasad

Shri S.N. Mookerji
Jt. Secy., Constituent Assembly
New Delhi.

*See G.V. Mavalankar's letter to Dr. Rajendra Prasad, dated 21 September 1949.

†See Dr. Rajendra Prasad's letter to G.V. Mavalankar, dated 23 September 1949.

188. *To H.V.R. Iengar*

Pilani (Rajasthan Union)
23 September 1949

My dear Shri Iengar,

My attention has been drawn to an announcement purporting to have been issued by the Cabinet Secretariat which has been published in *The Statesman*

which has reached me here this morning. It is to the effect: "The Government with the approval of the Speaker have decided to call an emergent session of the Constituent Assembly (Legislative) on Wednesday, October 5, to consider the question of devaluation of the rupee and important consequences following from it. The Assembly will meet at 11 a.m. on that date." Under the Constitution neither the Government nor the Speaker nor both jointly are entitled to call a meeting of the Assembly whether as a constitution-making or legislative body. In practice also the C.A. (Legislative) has so far always been summoned and prorogued under the orders of the President of the Constituent Assembly which is in accordance with the Constitution as it stands. So far as the meeting of the 5th October is concerned, I was approached by the Deputy Secretary of the C.A. (Legislative) with a request that I should approve the calling of the meeting on the 5th and I gave the necessary approval. So in actual fact the meeting has been convened strictly in terms of the Constitution but the announcement of the Cabinet Secretariat is not correct in terms of the Constitution. The mistake is possibly due to the ignorance of the real constitutional position. Although it has made no practical difference in the present case, it is desirable that the law and the Constitution should be strictly adhered to both in spirit and letter and its form duly observed. The announcement seems to me to offend against constitutional propriety. Perhaps you might consider it worthwhile to take up the matter with the Cabinet Secretariat and remove their wrong impression.

Yours sincerely,
Rajendra Prasad

189. *To H.S.L. Polak*

Camp: Pilani
Rajasthan Union, India
26th September 1949

My dear Mr. Polak,

I owe you an apology for not writing to you so long after receiving your letter dated the 2nd June 1949. As you may be aware, the Constituent Assembly has been busy with the consideration of the Draft Constitution and as its President I have had a very strenuous time. I have also not been keeping quite good health. The last session ended on the 18th instant and we are going to have another session, beginning on the 6th October in which we hope to complete the second reading which entails detailed consideration of each article of the Draft Constitution. We shall have then another break and meet about the middle of November for the third reading when the Constitution will be finalised.

As the question of Bills pending in the Privy Council was under the

consideration of the Government, I was unable to write to you anything definitely about it. But during the last session of the Assembly towards its close a Bill was introduced by the Government and passed by the Assembly abolishing the jurisdiction of the Privy Council even in regard to the pending cases. The result will be that they will all be recalled to India for hearing by the Supreme Court. Care has, however, been taken to cause as little inconvenience and loss to the litigants as possible. It was after a great deal of consideration that the decision was taken which has been embodied in an Act.

With kind regards,

Yours sincerely,
Rajendra Prasad

Mr. H.S.L. Polak
49 Earls Avenue
Folkestone, Kent
England.

190. *From Dharma Vira*

No. 170/CF/49

CABINET SECRETARIAT

New Delhi
28th September 1949

Dear Dr. Rajendra Prasadji,

My attention has been drawn by H.V.R. Iengar to the announcement on behalf of the Cabinet Secretariat regarding the calling of an emergent session of the Constituent Assembly (Legislative) on Wednesday, 5th October, to consider the question of devaluation of the rupee and important consequences following from it and to the fact that the announcement offends against constitutional propriety inasmuch as a meeting of the Constituent Assembly whether legislative or constitution-making can be called only with the permission of the President of the Constituent Assembly and not otherwise. I hasten to apologise for the mistake which was entirely due to ignorance on my part of the real constitutional position. The Cabinet decision to convene a session of the Constituent Assembly (Legislative) was arrived at in the evening and my instructions were to announce that such a session would be held after obtaining the approval of the Speaker. Not knowing the constitutional position properly, I thought that the concurrence of the Speaker was sufficient for the purpose and that after obtaining his

concurrence I could make the announcement. I do hope you would kindly accept the above explanation.

With my personal regards,

Yours sincerely,
Dharma Vira

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly
Camp: Pilani (Rajasthan).

191. *From Rup Chand*

EMBASSY OF INDIA, KABUL

No. 178/48/2

Kabul
29th September 1949

Respected Doctor Sahib,

I am enclosing herewith a copy of our letter No. 178/48/1, dated the 22nd July 1948, to the Ministry of External Affairs and Commonwealth Relations. We have so far received no reply.

The Afghan Press published the following news item regarding the World Pacific Conference to be held at Santiniketan:

A Pacific Conference will be held in Santiniketan in January next. The Conference will discuss the present current affairs and perpetual peace of the world on the basis of peace and non-violence as preached by Mahatma Gandhi.

The Conference will be attended by India, Pakistan, Germany, Italy, France, Switzerland, Finland, Belgium, Norway, Denmark, Phillipines, China, Japan, America, Canada, East Africa and Palestine. It is hoped that the Conference will be attended by the representatives of Burma, Siam and Egypt as well.

I am of the opinion that a delegation from Afghanistan should also be invited to attend this Conference. Some Afghan intellectuals and lovers of peace would like very much to avail of the opportunity. Even now it is not too late to extend to

them an invitation through our Embassy.

Yours sincerely,
Rup Chand
Ambassador

Dr. Rajendra Prasad
President, Indian National Congress
New Delhi.

Enclosure:

(Copy of Chancery D.O. letter No. 178/48/1 dated 22nd July 1948 from the Embassy of India, Kabul, to the Ministry of Foreign Affairs and Commonwealth Relations, Government of India)

Subject: *Afghan Delegation to the World Pacific Meeting to be held at Santiniketan (West Bengal) in January 1949.*

We enclose herewith a news item dated 20th July received by us from New Delhi through wireless regarding the forthcoming World Pacific Meeting to be held in January 1949 at Santiniketan. We venture to suggest that a delegation from Afghanistan may also be invited to participate in this meeting. Dr. Rajendra Prasad, President, All India Congress Committee, may kindly be sounded on this subject. In case the help of our Embassy is needed to arrange for a suitable Afghan delegation, kindly let us know.

192. *To Dr. Tara Chand*

Pilani (Rajasthan Union)
29 September 1949

My dear Dr. Tara Chand,

Many thanks for your letter No. F. 78-150/49A dated the 10th September 1949 conveying to me resolution of the Indian National Commission for Cooperation with Unesco to undertake preparation of a scheme to educate international public opinion in the ideas and techniques expounded by Gandhiji for the promotion of non-violence and international understanding and the enclosures. I find it difficult to reply to it not being acquainted with the nature and the scope of the work undertaken by Unesco and the contribution which the Indian National Commission is expected to make. It would be better if I could have a talk with

you or any other member of the Committee. I shall remain in Delhi from the 3rd to the 18th October.

Yours sincerely,
Rajendra Prasad

Dr. Tara Chand
Secretary, Ministry of Education
Government of India
New Delhi.

193. *To Dharma Vira*

1 Queen Victoria Road
New Delhi
5 October 1949

My dear Shri Dharma Vira,

This is to thank you for your letter No. 170/CF/49 dated 28th September 1949. When I came to know from the Press that an announcement had been made regarding the holding of the sitting of the Constituent Assembly (Legislative), I did realise that it was by mistake and so I wrote to Iengar to contact you so that you may regularise it. There is nothing to worry about it.

Yours sincerely,
Rajendra Prasad

Shri Dharma Vira
Cabinet Secretariat
New Delhi.

194. *To Sri Krishna Sinha*

1 Queen Victoria Road
New Delhi
20th October 1949

My dear Sri Babu,

You will remember that when I met you last, I spoke to you about a delegation of Jains regarding the Parasnath hills and jungles which had waited on the Bihar Government. You told me that you did not know anything about it and that you would make enquiries about it and let me know. I met Sardar yesterday. He was

again enquiring whether I had spoken to you about it. I told him that I had mentioned the matter to you and that you did not know anything about it and would let me know about it after making enquiries. I shall be obliged if you let me know about it so that I may communicate it to him.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Sri Krishna Sinha
Patna.

195. *From Ram Saran Upadhyay*

D.O. No. 7579/59-1-49

Patna-6
The 27th October 1949

My dear Sir,

Sri Atul Chandra Ghosh, Silpasram, Purulia, has sent to you a copy of a letter dated the 17th/18th October 1949 that he has written to me on the subject of the posting of some Bengalee lady teachers and of the medium of instruction followed in Bihar Government Basic Schools.

I am enclosing herewith for your perusal a copy of the reply that I have sent him in my D.O. letter No. 7578/2E-12/49, dated the 27th October 1949. When my enquiry as stated in para 2 of my reply is completed, I shall write to you again.

Yours sincerely,
R.S. Upadhyay
Secy., Bihar Education Board, and
Inspector of Basic Education

Hon'ble Deshratna Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

Enclosure:

(Copy of letter from Ram Saran Upadhyay to Atul Chandra Ghosh)

D.O. No. 7578/2E-12-49.

Patna-6
The 27th October 1949

My dear Atul Babu,

I have received only today (the 25th October 1949) your letter dated the

17th/18th October 1949.

I am really sorry that there should have been any occasion for you to get worried about Srimati Mira Sen and Srimati Gita Das Gupta, who had been posted to the Kenda Basic School since transferred to Manidih and to the Durma Basic School. They feel reluctant, and rightly so, to live each alone, in an outlying place and that also without suitable accommodation and company being made available in the locality and they sent me a note to that effect in their letter dated the 15th October 1949. Immediately on receipt of their letter on the 16th October 1949, I asked Sri Sampat Kumar Singh, Assistant Inspector of Schools attached to the Headquarters, to pay a visit to the two schools and to see the lady teachers, the Headmaster of the Pindrajora Basic Training School and the local people, and to find out if any suitable arrangement for accommodation could be immediately improvised. He could not meet the Headmaster of the Pindrajora Basic Training School as he was away from the station availing himself of the Puja vacation. But he visited the localities, Manidih and Durma, and met and consulted the ladies. He has reported, in consultation and agreement with them, that they should be, for the present and until accommodation to our satisfaction could be provided in some Manbhum Basic Schools, be transferred to some other places where they could be properly and comfortably housed. I have accordingly passed orders placing them on deputation, until further orders, to the Practising School attached to the Patna Basic Training School, where they will have accommodation in the women's hostel under the control of a Lady Superintendent. They are also due for the final course of training and by the time that they complete the course, suitable accommodation for women teachers will have been provided in many of the Manbhum basic schools and elsewhere.

2. Regarding the other complaints made by them and repeated in your letter under reference, I have called for a report from the Headmaster, Pindrajora Basic Training School, and will pass further orders, as necessary, as soon as the report is received. Indeed, so far as the posting of the two teachers to the schools in the interior is concerned, I have already expressed to the Headmaster, Pindrajora Basic Training School, my disapproval of his action in posting them to those places without previously satisfying himself about the adequacy and suitability of the accommodation provided by the people of the locality who had volunteered to do so and without his having provided them a proper escort while on their way to those places from Pindrajora. I shall write to you again when my enquiry about the complaints is completed and I have received the report of the Headmaster.

3. On the subject of the medium of instruction, I have issued the following orders to all basic schools under me in accordance with the resolution passed by the Central Advisory Board of Education, at its 15th meeting held at Allahabad on the 7th January 1949:

Resolved that the medium of instruction in the Junior Basic stage must be the mother tongue of the child and that where the mother tongue was

different from the regional or State language, arrangements must be made for instruction in the mother tongue of the children, provided there are at least 40 such pupils in a school. The regional language where it is different from the mother tongue should be introduced not earlier than the 3rd class nor later than the end of the Junior Basic stage. In order to facilitate the switch-over to the regional language as medium of instruction in the secondary stage, children should be given the option of answering questions in their mother tongue for the first two years after the Junior Basic stage.

4. The mother tongue of a pupil in a Bihar Government Basic School is as stated by his or her parent or guardian. The Pindrajora basic schools have on their roll pupils whose parents and guardians have stated that they should be taught through the medium of Hindi as their mother tongue.

As Manbhum, however, is a district bordering on Bengal, there are settlers in it that have Bengalee as their mother tongue. Orders have been issued consequently that whenever or wherever there be pupils numbering at least 40 in the school as a whole, or at least 10 in a class, whose guardians state their mother tongue to be Bengalee, these pupils should be taught through the medium of Bengalee in terms of the resolution of the CAB of Education quoted above and that if that required some reshuffle of the staff of the teachers and, if the reshuffle could not be arranged for by transfers of teachers among the schools under the control of a particular officer, that officer should write to me for ordering transfers from elsewhere. Orders have also been issued to the Principals of all the Basic Training Schools in Bihar, that each trainee should be made proficient, in addition to Hindi in the Devanagari script, in at least one of the other languages in use in Bihar such as Bengalee, Maithili, Urdu, Oraon, Ho, Mandari, Santhali and Oriya. The trainees that speak these languages have also arrangements in basic training to learn Hindi. So, before long, there will be, in all the basic schools in Bihar, teachers capable of teaching through at least one language other than Hindi.

5. Srimati Mira Sen and Srimati Gita Das Gupta had been posted each to one of the basic schools in Manbhum with the above purpose in view. But as proper arrangement for accommodation is not available at those schools, they have to be deputed to the Patna Practising Basic School and then for the final course of training, for the time being.

I remain, with respects,

Yours sincerely,
R.S. Upadhyay
Secy., Bihar Basic Education Board, and
Inspector of Basic Education

Sri Atul Chandra Ghosh
Silpasram, Purulia.

196. *From Mohanlal Saksena*

GOVERNMENT OF INDIA
(MINISTRY OF REHABILITATION)

D.O. No. 3209/PSMR

New Delhi
27th October 1949

My dear Rajendra Babu,

Many thanks for your letter dated the 20th October 1949 regarding the provision of gainful employment for the refugees in the Faridabad and Rajpura Camps and the discontinuance of gratuitous relief.

I am glad to hear that there is great eagerness amongst the refugees both at Rajpura and at Faridabad to get down to work and earn their living instead of depending on doles. If by spending a sum of Rs.3 lakhs on relief on a population of 20,000 at Faridabad over the next four months we can provide the displaced persons with work and also enable them to acquire such earning capacity as will make them independent of Government assistance, I think it will be worth our while to spend this amount and I agree to place it at your disposal. In the case of Rajpura where the camp population is going to be about 30,000 we shall make available to you a proportionate amount.

As regards the formula to be adopted in giving assistance to the displaced persons in these two camps your suggestion about giving a man a bonus of Re.1 for every rupee earned by him in the first month and reduce it to annas 12 and annas 8 and annas 4 per rupee in the subsequent months appeals to me, but I feel that there should be a ceiling. I suggest that the earning of the bread-winner of a family plus the relief he gets in the shape of bonus should not exceed Rs.100 per month. We should also take into consideration the cases of families with more than one earning member. In such cases the head of the family should not get the bonus in addition to his earning, but other earning members should only get their wages, but no bonus. These are the suggestions that come to my mind, but I leave it to you to decide what formula you consider most expedient under the circumstances.

Yours sincerely,
Mohanlal Saksena

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

197. *From Ram Saran Upadhyay*

D.O. No. 7584/5I-1-49

Patna-6
The 29th October 1949

My dear Sir,

Please refer to your letter dated the 24th October 1949 from Camp Pilani.

I have taken up the matter about the two lady teachers and have sent you a copy of the letter that I have sent to Sriyut Atul Chandra Ghosh. I shall inform you again.

With respects,

Yours sincerely,
R.S. Upadhyay
Secy., Bihar Basic Education Board, and
Inspector of Basic Education

Sriyut Deshratna Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

198. *From Sita Ram*

HIGH COMMISSIONER FOR INDIA IN PAKISTAN

Damodar Mahal
Karachi-5
8th November 1949

आदरणीय श्रद्धेय बाबू जी, जय हिन्द!

The wedding of my son Dr. Satish Chandra, M.A., D.Phil., is to take place on November 22 at Dehra Dun. I dare not ask you to participate in the marriage itself because that will be too selfish and too improper for me to make a request of this nature, having regard to your heavy preoccupations of a public character.

I am holding a Reception on Saturday, the 26th November, at Meerut for which a formal invitation will be despatched to you in due course from Meerut. Meerut is only about 40 miles from Delhi and at the most it should not take more than an hour and a half by car. The time of the Reception is 4 o'clock. So if you can possibly fit it in your programme kindly grace the occasion and bless the couple in person. It will stand in good stead to the newly married couple and will be a source of pleasure and honour to me and my family. Even if you leave Delhi at 3 o'clock and reach my house at half-past four and stay for about an hour or so

you would be back in Delhi the same evening by 7 o'clock at the latest.

My house is 'CHAMPA', Civil Lines, almost opposite the Commissioner's residence. You have to reach the 'Begum Bridge' and from there to my residence.

A reply may kindly be sent to me at Meerut. I do hope that you will be pleased to accede to my humble request in spite of inconvenience, particularly as it would be a Saturday. There will be no occasion in my lifetime for the marriage of a male member of my family.

Yours sincerely,
Sita Ram

Dr. Rajendra Prasad.

199. *From K. Santhanam*

D.O. No. 6004-TC/D

New Delhi
November 11, 1949

My dear Sir,

Reference your D.O. dated 8th October 1949, I regret that wrong information was furnished in the first instance and that subsequently there was so much confusion about the charges due for your journey to Loharu in a tourist car.

2. Normally, arrangements for the use of a tourist car are made with the head office of the railway and that is apparently the reason why the District Traffic Officer was not in a position to furnish information regarding the cost. The charges prescribed in the tariff include empty haulage from the base station to the station at which the tourist car is required and from the station at which the tourist car is released to the base station. This empty haulage charge is Re.1 per mile. The minimum loaded haulage charge is Rs. 2 per mile and, in addition, a hire charge of Rs.20 per day is levied.

3. The charges originally levied by the station staff, Delhi, were therefore correct, viz.,

Loaded charge for 109 miles at Rs.2 per mile	Rs.218
Hire charges for one day	Rs.20
Empty haulage from Loharu to Ajmere, 240 miles, at Re.1 per mile	Rs.240
Total	<u>Rs.478</u>

4. I am informed that the General Manager, B.B. & C.I. Railway, has, in his

discretion, allowed refund of Rs.133 being empty haulage charges from Reengus to Ajmere, presumably because the tourist car would have had in any case to be hauled empty over this section when returning to its base. Normally, however, empty haulage charges from the station of release to the base station are recovered.

Yours sincerely,
K. Santhanam

Minister of State, Transport & Rehabilitation

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
1 Queen Victoria Road, New Delhi.

200. *To N.V. Gadgil*

1 Queen Victoria Road
New Delhi
13th November 1949

My dear Gadgil,

May I introduce to you Mr. L.K. Mathur who has for many years served in Burma Oil Company operating in Assam? He has had considerable experience of oil prospecting in the very extensive area that we have in Assam, Tripura, etc. I have had a talk with him and as he has very extensive information, it will be of considerable help to our Government. I understand he has applied for a post in the Geological Survey of India and considering that there are not many people qualified for a job like that, there is good chance of his being taken in. But I am writing this to you not for that purpose, but to request you to give him a little time so that he might give you some information which might be worthwhile to have.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri N.V. Gadgil
Minister for Works, Mines & Power
Government of India, New Delhi.

201. *From Dr. Tara Chand*

New Delhi
17th November 1949

Dear Dr. Rajendra Prasad,

I am enclosing a copy of the Report of the Universities Commission which was

appointed by the Government of India to survey the work of the Indian Universities and to recommend necessary changes in their constitutions and functions in order to fit them for the service of free India. I will be greatly obliged for any remarks or suggestions which you may, after the perusal of the Report, like to communicate to me.

Yours sincerely,
Tara Chand
Secretary, Ministry of Education

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly
New Delhi.

Enclosure not included.

202. To Dr. Tara Chand

1 Queen Victoria Road
New Delhi
21st November 1949

My dear Dr. Tara Chand,

This is to acknowledge with thanks the receipt of a copy of the Report of the Universities Commission of the Government of India which you have sent. I shall go through it as soon as I get time to do so.

Yours sincerely,
Rajendra Prasad

Dr. Tara Chand
Secretary, Ministry of Education
Government of India
New Delhi.

203. From R.R. Diwakar

New Delhi
November 25, 1949

My dear Rajendrababu,

One or two friends told me that you were under the impression that Geeta

readings will be stopped by A.I.R.

The fact of the matter is that all religious broadcasts as such, as on particular days and at particular times, would be stopped. This was necessitated by claims and counter-claims by different religions and sects on the time and stations of A.I.R.

But in place of these religious broadcasts as such, it has been decided to give recitations, commentaries, etc., from books of various religions, emphasising the philosophical and moral aspects of the same.

You will be pleased to know that just at present many of the A.I.R. stations are giving broadcasts from Vedas, Upanishads, Geeta, Ramayana, Mahabharata, Sanskrit classics as well as from books of other religions.

Hindi lessons for three months also will begin from non-Hindi A.I.R. stations as from the 18th of December.

Yours sincerely,
R.R. Diwakar
Minister for Information & Broadcasting

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

204. *From Dr. Tara Chand*

New Delhi
25th November 1949

My dear Dr. Rajendra Prasad,

After considering all the alternatives regarding dates for the meeting of the Board of Editors of the Indian History it appears to me that the most suitable date will be January 5, 1950, and as you may not be free in the morning I am calling the meeting in the afternoon at 2.30 p.m. at your house. I hope this would suit you.

Yours sincerely,
Tara Chand

Dr. Rajendra Prasad
President, Constituent Assembly
1 Queen Victoria Road
New Delhi.

205. *From Dr. N.V. Thadani*

25th November 1949

Dear Dr. Rajendra Prasad,

I am writing this to give you a little trouble, but hope that you would not mind it. I understand that in the new Constitution for India, the Sindhi language does not figure as one of the regional languages. I am sure you will agree that the effect of this is likely to be that Sindhi, which is at present recognised as a modern Indian language in a number of Universities, would cease to continue so before long.

I am not writing this merely as a Sindhi myself or on sentimental grounds. The preservation of a language would be an important matter in normal times; but the Hindus of Sind have suffered so much that it would probably make little difference to them if even their language were lost. But I believe the loss to India would be greater still. I am not sure, however, if the real character of the Sindhi language is generally understood. But as Mohen-jo-Daro is the oldest record of Aryan civilisation, even so is Sindhi one of the oldest, if not the oldest, Prakrit language; and its links with Sanskrit, in its grammatical forms and construction are, I believe, closer than those of any other language in Northern India. This is unfortunately not appreciated even by the Sindhis themselves, because of the script, which, as you know, has for some time past been Arabic; and it is a legacy of British rule. Besides, not many Sindhis have made a study of Sanskrit; and no one can complain if others do not know the real character of their language.

But I believe you are aware that Sindhis have an unusual aptitude in learning and even speaking the languages of North India; and its links with Gujarati, Kutchhi and Kathiawari, as well as Punjabi, would be obvious to even the most casual observer. This facility is, I believe, due to the genius of the language itself; and it would be a tragedy to destroy what may easily be an asset to the linguistic problem of India itself. I am glad to find—and this is your own view too—that Hindi can become the language of all India only if it draws upon the best that is in the different parts of the country; and I have no doubt in my mind that the Sindhi language can play a most important part in this reconstruction.

I am accordingly venturing to write this letter to you as President of the Constituent Assembly, with the request that if you believe that there is something in what I have said, you might be so good as to take such steps as may be required to include Sindhi among the regional languages of India. It is possible that the omission is due to the fact that the region to which Sindhi belongs has ceased to be a part of India. But I think this would be only a technical objection, as Urdu itself, which is included in the list, would belong to the same category too. There are about twelve lakhs of Sindhis now scattered all over the country, but a fair number of them have, I believe, settled down in the Province of Bombay; and the technical difficulty of a region could, I believe, easily be overcome. I should, therefore, feel very grateful if you give the matter your kind and sympathetic

consideration; and if you would like to have a clarification about the character of the Sindhi language, to which I have referred, it would give me great pleasure to elucidate the point at any time convenient to you.

Yours sincerely,
N.V. Thadani
Principal, Hindu College, Delhi

206. *From Jawaharlal Nehru*

New Delhi
8 December 1949

My dear Rajendra Babu,

Before you left Delhi I had occasion to have two talks with you about the general situation and about certain particular matters. As I look round the scene in India, I am alarmed and distressed at many developments that are taking place. I am not normally depressed for any length of time. But I cannot rid myself of the heavy responsibilities that fate and circumstance have thrust upon me. If anything goes wrong, in some measure at least, the responsibility for that must be borne by me as Prime Minister.

Of course, no individual can shoulder this responsibility by himself. During the past years this responsibility, so far as the Congress was concerned, was borne chiefly by a limited number of persons. During Bapu's life, we all looked to him and if we could get his approval to any course of action, we felt assured and went ahead. Since his death, it has been much more difficult. But even so some of us, who form the old guard of the Congress, faced and shared this responsibility whatever the position or office we occupied. Practically speaking, and with no disrespect to others, the men who in practice shouldered this burden were yourself, Rajaji, Maulana and Vallabhbhai. We functioned in somewhat different spheres of activity and did not have the opportunity to consult each other as often as we used to, but whether we wanted or not, we could not get rid of this burden. It came to us partly from our assumption of office, but much more so from the position we had occupied for three decades in the Congress movement. So even if we resigned from any particular office, we could not escape from this responsibility. That was a charge laid upon us by the whole course of India's development and struggle of the past generation. The memory of Bapu demanded that we should carry on this work to the best of our ability. The confidence of the people also made us the prisoners of our tasks. For whether we were criticised as a Government or in any other capacity or not, the fact is that the public generally have looked up to us five persons much more than to anyone else in India.

What do we see around us now? I do not refer to the difficult economic

situation that we have to face. That of course is important and urgent enough. But what distresses me even more is the cracking up, with great rapidity, of the noble structure that Bapu built. With all its failings, the Congress represented the spirit and mind of India and I do not see anything else that can take its place without disrupting the country and bringing chaos and suffering.

This Congress is simply fading away before our eyes. Even a fading might have been tolerated, but something worse is happening. There is no discipline left, no sense of common efforts, no cooperation, no attempt at constructive effort (apart from a few), and our energies are concentrated in disruption and destruction.

I would not mind all this very much if I knew that some other fairly competent group could run the country for a while. It would do good to the Congress and to us individually to be free of the turmoils and responsibility of office and to devote ourselves to other kinds of work among the people. I am not afraid of losing the election. But I just do not see any other group which can run the country with even a moderate degree of success. The alternative to the Congress is thus nowhere to be seen, or at any rate any effective alternative. If the Congress goes out of the picture, the result is the growth of innumerable factions who fight each other regardless of the country's good. We shall then have separatisms in every form, provincialism, communalism, apart from all kinds of splinter groups sailing under the name of socialism and communism. In addition to this, we shall have internal provincial conflicts which come in the way of every kind of effective work.

We all see what is happening in West Bengal and in East Punjab. That seems to me the precursor of what might happen in every part of India, with this difference that there will be no effective central authority, whether Government or Congress, to exercise any degree of control. Politically, economically and socially we shall just go to pieces. No doubt, some time or other India will pull herself together again. How long that process will take, no man knows and meanwhile there will be terrible suffering for our people and reaction in its worst form will triumph. That is not pretty to look at or think about.

Some of our older colleagues in the Congress have become more bitter than even avowed enemies. I am told that some weeks ago a Sarvodaya conference was held at Wardha and some of the speeches delivered there were bitter in the extreme. A week or so ago a meeting was held in Calcutta in the Indian Association room presumably to consider peasantry problems. J.C. Kumarappa¹ presided and Prafulla Ghosh and others of his group were present. Kumarappa and Prafulla Ghosh delivered fiery speeches not only against the Central Government and the West Bengal Government but also calling upon the peasantry to follow the scorched earth policy so as to prevent procurement of grain, the objective being just to create more trouble for the governments and bring them down. Do you remember what Bapu's views were when a scorched earth policy was suggested by the then Government against a possible Japanese invasion? He was dead opposed to it even against an avowed enemy invading the country; and now our own colleagues propose to start this campaign because of

their disgust with the present Governments. We can well imagine the consequences of such a policy and the terrible suffering that this will bring to the peasantry. And this policy is being recommended by a colleague of ours in the Working Committee and others who are considered as noted disciples of Bapu.

Prominent Kamataka Congress leaders have resigned on a linguistic Province issue. Here again, a colleague of ours in the Working Committee is involved.

In the United Provinces Purushottamdas Tandon,² who combines in himself the Speakership as well as the Presidentship of the Provincial Congress Committee, has started a new organisation of refugees to fight Government. He has invited members of the Hindu Mahasabha and the R.S.S. to join it. The other day he asked for a hartal in Lucknow. The local Congress asked the people not to observe a hartal. Is not all this quite fantastic and Gilbertian? Where is the Congress now? If a Government fails, it is a bad thing. But after all governments can be made and remade. But if the Congress goes to pieces, what takes its place? I just do not know what we are heading for.

I have put all this picture before you and I could dilate upon it. But you know the state of affairs in the country better than I do. I come back to what my individual duty is in the circumstances and what our corporate duty is—our meaning five of us, you, Rajaji, Vallabhbhai, Maulana and myself. At least we should try to meet this situation, functioning together. We are few of us and a very great responsibility is cast upon us. I should have liked all five of us to meet not once but several times to discuss this situation in all its aspects and to come to some conclusion about it. Previously we used to do it in the Working Committee. But somehow the Working Committee functions differently now and spends all its time over some trivial detail or other. Major questions, even the most important question for it of the Congress organisation, are hardly considered. Even the constitution of the Working Committee at present does not help an intimate discussion. Meanwhile the sands of time run out and we go merrily forward to whatever catastrophe or disorder may lie in wait for us.

This afternoon Vallabhbhai, Maulana and I sat for some time discussing these problems. Naturally we could not produce any magic solution or brilliant suggestion. But if a problem is not tackled, it tries to solve itself in its own peculiar way which may not be at all happy. So I suppose things are moving in India to some kind of a climax while people's minds are engrossed in petty quarrels and minor objectives.

The major question before us I think is the future of the Congress. We have to be clear in our own minds about it and to throw all our weight in the direction that we consider right. We have allowed this drift to continue too long and perhaps it is already too late to do anything. Still we must do our best. That involves not only the whole state of the Congress organisation (or disorganisation) today but also the question of the next Congress President and the next Working Committee. These are important matters for much depends upon them.

I mentioned to you when you were here the probability of our having a

planning committee or commission of a high order. I shall not repeat what I said about it then. You told me that you did not feel that you could take charge of any such commission. I accept your decision about it if you feel that way.

Then comes the question of the President of the Republic. Obviously this has to be decided fairly soon. It is inconceivable that we should go to a contested election on the very eve of the change-over. Even the timing is such that this cannot be done in that way. But apart from the timing it would be an unseemly sight for the country and for the Congress for two of our most eminent leaders to contest against each other. That, we are agreed, cannot happen. If that is so, then a clear decision must be arrived at long before the actual formal election, a decision not only [in] our minds but something that can be made public to avoid unseemly controversy and argument which would shatter the remaining edifice of the Congress. What then can we do? It is patent that there are only two persons who might be chosen as President of the Republic—yourself and Rajaji. There is no other. These two have all along belonged to that inner group of the Congress consisting of just a very few. One of these two should, it seems to me, take the initiative in declaring that he will not stand for the Presidentship. That is the only way of avoiding a last-minute contest and ill effects on the public mind. Thus the only course open is either for Rajaji to make such a declaration or for you to make it.

Two days ago I happened to see Rajaji about another matter. He told me that he felt very embarrassed. He himself was anxious to retire to his village and the only consideration for him was whether his colleagues and his duty demanded something else. In any event, he said that this matter must be decided in consultation with his colleagues before many days were over. He would gladly issue a statement about retiring himself, if his colleagues so desired. Thus an element of urgency comes into this matter and indeed the time element itself brings urgency. I should be very grateful if you could advise me in this matter. I am writing to you after consulting Vallabhbhai and Maulana. Naturally I have not told Rajaji about this. Nor indeed have I discussed the matter at all fully with him. When he mentioned it, I merely said that I agreed with him that a decision should be made fairly soon.

You and I and Vallabhbhai have had some talks about this. It is not necessary to repeat them and to cover the same ground. I think, on the whole, we know each other's minds. The time has come for a decision and so I am taking the liberty of writing this long letter to you.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Dr. Rajendra Prasad
Sevagram, Wardha, C.P.

¹Convener of Congress Select Committee which issued a report on financial obligations between Great Britain and India, July 1931; President, All-India Village Industries Association, 1934-54; Chairman, Congress Agrarian Reforms Committee, 1948-49.

²Speaker of U.P. Assembly, 1937-39; Member of Constituent Assembly; Congress President, 1950.

207. *From Dr. P.V. Sukhatma*

INDIAN SOCIETY OF AGRICULTURAL STATISTICS

'P' Block, Raisina Road
New Delhi

December 9, 1949

Dear Dr. Rajendra Prasad,

I have been greatly disappointed to hear from your Private Secretary that you will not be able to attend the Third Annual Meeting of the Society at Poona. The Council of the Society has asked me to approach you again with a request to make it convenient to come to Poona at least on the opening day, namely, the 30th December 1949. Knowing, however, that you will be preoccupied with a more important Conference at Wardha during that period, I am reconciling myself to the position of holding the Annual Meeting without you. I have, however, to request you to kindly send us a message as the President of the Society, befitting the occasion.

Yours sincerely,
P.V. Sukhatma

Hon'ble Dr. Rajendra Prasad.

208. *To Sir B.N. Rau*

Camp: Bajajwadi, Wardha
10 December 1949

My dear Sir B.N. Rau,

Mr. T.G.N. Ayyar is a member of the Indian Civil Service and has been acting in the Judicial line for many years. In Bihar he has also acted as a Judge of the Patna High Court. I am enclosing herewith particulars about him. Is there any opening for a man of his standing and qualifications in the U.N. Secretariat or in the Legal Commission attached to the U.N.O. or under you? If there be, he should be considered. I shall be obliged if you look into this and let me know.

Yours sincerely,
Rajendra Prasad

Sir B.N. Rau
Constitutional Adviser to Govt. of India
Indian Embassy, Washington (U.S.A.).

Enclosure not included.

209. To Vallabhbhai Patel

Bajajwadi, Wardha
12 December 1949

My dear Vallabhbhai,

I have received a long letter from Jawaharlalji.* It appears from the letter that he has had some talk with you. I am enclosing copy of my reply. You might have seen the letter to me. If not and if you desire I shall send you a copy. The substance of the portion dealing with this question is that he has had a talk with Rajaji, who feels embarrassed and wants an early decision. He is anxious to retire to his village and the only consideration for him was whether his colleagues and his duty demanded something else. He would gladly issue a statement about retiring himself, if his colleagues so desired. Jawaharlalji wants my advice in the matter and says that he has written the letter after consulting you and Maulana [Azad].

Yours affectionately,
Rajendra Prasad

The Hon'ble Vallabhbhai Patel.

*See Jawaharlal's letter to Dr. Rajendra Prasad, dated 8 December 1949.

Enclosure:

(Copy of Dr. Rajendra Prasad's letter to Jawaharlal Nehru)

Bajajwadi, Wardha
12 December 1949

My dear Jawaharlalji,

I received your letter dated 8-12-49 only last night. I agree with you regarding the analysis of the situation as it exists today. It is really tragic that we should have to see the great institution which has been built up with the devoted service and sacrifice of so many of the best men and women of the country disintegrating before our eyes, and that so soon after the passing away of Bapu. But this disintegration also shows how skin-deep our attachment to the principles which we have mouthed so loudly and our loyalty to Bapu whose name we are never tired of invoking have been. It may be worthwhile going into the causes which have brought about this unfortunate pass and I may do so if you may permit me later in another letter. For the moment let me confine myself to the question of the presidentship of the Republic and the Presidentship of the Congress.

I agree that a decision regarding the Presidentship of the Republic should be taken without any further delay and if I can in any way help I am perfectly willing

and prepared to render such help as I can. It is in this spirit that I am writing this. No one can say—certainly I cannot say—that my election as President of the Congress or of the Republic will help in arresting the disintegration that we all deplore. For some reason or other—justified or wholly wrong—there is a considerable opinion among the members of the Assembly who insist on my accepting the Presidentship of the Republic. From what I have gathered from the talk with the various persons who have come and seen me in this connection, it appears my not accepting the offer will be looked upon by them as a 'betrayal'. They have used that expression and told me that I should not 'betray' them or 'let them down'. I have on every such occasion protested that there is no question of betrayal or letting down as I have never put myself forward as a candidate or sought their assistance but they say that they would look upon it as a betrayal of the country. I am not concerned with the right or wrong of the position. I am only expressing what has been communicated to me as their feeling. This has been confirmed by letters which I have received from persons unconnected with the Assembly or its politics. The inference that I draw from this is that the election of Rajaji will not be smooth even if I were to withdraw and propose his name. Further, it may still further complicate the position and accelerate the disintegration which may affect even the centre which has unfortunately so far been comparatively speaking immune. While all this is to be said on one side I must not conceal from you my feeling that I find myself in a most difficult situation. I have genuine regard for Rajaji and my relations with him have always been of the sweetest and I cannot suppress the feeling that I may be misunderstood and regarded as putting forward excuses for not withdrawing, as if I really am anxious to get the high honour. All that I can say is that I have searched my heart as best as I can to see if there is a lurking desire somewhere and I can say today honestly to you that there is none. On the other hand I feel that any action which I take today which is not in consonance with the will of the Assembly will be regarded by many of its members as having been dictated by you and Sardar and all my protestations to the contrary will be disregarded, and this feeling, as I have said above, is likely to further complicate the position in the centre. But all this is my view and may all be wrong. You and Sardar are in a better position to judge and also to ascertain whether my reading of the temper of the Assembly is correct. I shall be happy if it is found to be incorrect. I leave the matter there and wish you, Sardar and Maulana Sahib to meet and decide as you think best. I can only assure you that I shall not misunderstand any decision that you take and will loyally work as I have ever done in the past.

Yours sincerely,
Rajendra Prasad

The Hon'ble Pandit Jawaharlal Nehru
Prime Minister, India
New Delhi.

210. To H.V.R. Iengar

Camp: Bajajwadi, Wardha
December 15, 1949

My dear Iengar,

I have been thinking of giving some sort of an 'At Home' or 'Tea Party' to the members of the Assembly and others. Now that the constitution-making work of the Constituent Assembly is approaching its end, I think it should be arranged for the 24th or 25th of January. As I shall not be back to Delhi till about the first week of January, I shall be obliged if you could arrange to have invitations issued and other things fixed up for the purpose. The points which require to be fixed up are:

- (1) who are the people to be invited;
- (2) where we should have the party;
- (3) the exact time.

I think apart from the members of the Assembly both old and those who may be elected to fill the vacancies who may happen to be in Delhi on that date, may be invited. We should invite also the other people who are generally invited to such parties. I do not know who they are. Probably there is some list there including officials and non-officials. There is also a large ambassadorial group. I have no idea what the number will be if all these are invited.

As regards the place the yard of the Council House is a nice place; but if the number is large, it may prove too small. The compound at 1 Queen Victoria Road has been ploughed up and in front part of it there is a potato crop and in rear part of it there is a wheat crop growing. Perhaps there is some place along the sides. I do not know if that will be sufficient or nice. So you will kindly consider this and fix up a more suitable place.

As regards time, I think in the cold season 4 o'clock will not be too early. Any later time will perhaps be too late. As we shall not have much work on the 24th in the Assembly itself, perhaps that might suit or if 25th is preferred, there will be practically no work on that day and it might be a little earlier.

Considering all this, you will please put somebody in our Secretariat in charge of this business and have the thing done nicely. I shall be back in the first week of January and if there are some other things to be settled, that can be easily done on my return.

Yours sincerely,
Rajendra Prasad

Shri H.V.R. Iengar
Secretary, Constituent Assembly of India
Council House, New Delhi.

211. *From Y.K. Puri*

DEPUTY HIGH COMMISSIONER FOR INDIA IN PAKISTAN

No. R. 1/JMR/12196

144 Upper Mall
Lahore
15th December 1949

My dear Doctor Saheb,

Kindly refer to your letter dated the 21st October 1949, regarding evacuation of the family members and relatives of a female sweeper named Sunti. The West Punjab Government have since long stopped facilities of escort and transport to non-Muslims still desiring to evacuate from West Punjab. The question of evacuation of the persons in question has, therefore, been taken up with the Chief Secretary of the West Punjab Government as a special case. I shall let you know of the result in due course.

Yours sincerely,
Y.K. Puri

Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
1 Queen Victoria Road, New Delhi.

212. *To Jairamdas Doulatram*

Camp: Bajajwadi, Wardha
December 17, 1949

My dear Jairamdas,

I am enclosing copies of letters I have addressed to Shri Gupta and Shri Panjabi for certain figures. I hope you would not mind my addressing them these letters and will permit them to let me have the figures as soon as possible.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Jairamdas Doulatram
Minister for Food & Agriculture
Government of India
New Delhi.

Enclosure 1:

(Copy of letter to R.L. Gupta)

Camp: Bajajwadi, Wardha

December 17, 1949

My dear Gupta,

I want certain figures about food import and related things and I shall be obliged if you could kindly provide me these. I am presiding over a Conference on the 1st of January next and I want to prepare a speech where I want to use these figures, if necessary. Formerly there used to be a statement presented to the Assembly at the beginning of every session giving all important information regarding the food situation including imports and other things. If such a statement is presented even now, probably that will contain all the relevant information that I want, but, in any case, I want figures of imports—country by country and particular grain by grain—for the last four or five years. It will be sufficient if I could get them before your office closes for Christmas. I am writing to the Minister also to permit you to give me the figures.

Yours sincerely,
Rajendra Prasad

Shri R.L. Gupta, I.C.S.
Secretary, Ministry of Food
Government of India
New Delhi.

Enclosure 2:

(Copy of letter to K.L. Panjabi)

Camp: Bajajwadi, Wardha
December 17, 1949

My dear Panjabi,

I want certain figures about lands under cultivation under various crops during the last, say, 3 years, in the country as it is now. I suppose these figures must be available easily in your office. I also want to know additional lands which have been brought under cultivation. I heard on the radio that there were certain questions in the Assembly and answers were given. These figures will do for me. But if it is not too much, you might give the figures relating to each particular crop. I want these figures for use in connection with my address which

I have to deliver at a Conference which is meeting on the 1st of January. I am writing to the Hon'ble the Minister to permit you to let me have these figures.

Yours sincerely,
Rajendra Prasad

Shri K.L. Panjabi, I.C.S.
Secretary, Ministry of Agriculture
Government of India
New Delhi.

213. *From Vallabhbhai Patel*

Camp: Pilani
18 December 1949

My dear Rajenbabu,

Thank you for your letter of 12 December 1949.

You know Jawaharlal's views. You can guess what Maulana feels. In other words, you have placed the burden—and a heavy burden at that—on me. I really do not know what to do. Jawaharlal tells me that he will discuss it with me on my return.

With kind regards,

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly
Bajajwadi, Wardha.

214. *To Rafi Ahmed Kidwai*

Camp: Bajajwadi, Wardha
December 18, 1949

My dear Mr. Kidwai,

The Hindustani Shorthand and Hindi Typewriter Standardisation Committee which had been appointed by me for reporting among other things on the telegraphic code in Devanagari script had submitted a scheme of the telegraphic code. It had been forwarded for approval and consideration of the Government of India. I am enclosing with this letter a copy of the telegraphic code which had

Dr. Rajendra Prasad:

been suggested by the Committee. I hope it would be examined properly so that it may be possible to introduce this in the Telegraph Department.

Yours sincerely,
Rajendra Prasad

The Hon'ble Shri Rafi Ahmed Kidwai
Minister for Communications
Government of India
New Delhi.

Enclosure not included.

215. *To Dr. Syama Prasad Mookerjee*

Camp: Bajajwadi, Wardha
December 18, 1949

My dear Dr. Syama Prasad Mookerjee,

I understand that your Ministry has taken steps to secure a patent of the keyboard that has been recommended by the Hindustani Shorthand and Hindi Typewriter Standardisation Committee whose report I had forwarded to you with a request for taking a patent. After the Committee's report had been sent Shri Ajit Singh of Patna brought to me a typewriter which has some new parts and could give 108 characters on 42 keys. The Chairman of the said Committee has examined the typewriter and is of the opinion that it has considerable potentialities. I understand further that existing typewriters can be fitted with the parts which Shri Ajit Singh has devised. Shri Ajit Singh is willing to accept any scheme of the keyboard recommended by the said Committee. While your Ministry can proceed with the securing of a patent of the keyboard recommended by the Committee, it appears to be desirable that it may also examine the typewriter suggested by Shri Ajit Singh and if the same is found satisfactory from the mechanical point of view, to get some arrangement made to accept the device of Shri Ajit Singh for the Standard Typewriter recommended by the Committee, as it is possible to reduce the number of keys.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
Minister for Industry & Supply
New Delhi.

216. *From Jairamdas Doulatram*

No. C. 9267/49/PAM

1 York Place
New Delhi
20th December 1949

My dear Rajendra Prasadji,

Thanks for your letter of December 17. Certainly you can have all the information you require for the Conference on 1st January 1950. I am asking Shri Gupta and Shri Panjabi to give you the information required. I believe you know as well as anybody else that the agricultural data we receive from the Provinces is not always very reliable.

Yours sincerely,
Jairamdas Doulatram
Minister for Agriculture

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly, India
Camp: Bajajwadi, Wardha.

217. *From Ajit Singh*

Fraser Road
Patna
22nd December 1949

Respected Rajendra Babu,

I am submitting herewith a copy of the letter received from Professor Balkrishna, Under Secretary, Constituent Assembly of India, New Delhi, bearing on my Hindi Typewriter for your kind perusal. I claim that my invention is far ahead of any existing models in mechanical soundness, speed, and ease of operation. *Speed obtained on my Hindi typewriter will be equivalent to the speed possible on a Roman script typewriter.* Eminent linguists like Dr. Suniti Kumar Chatterji, Dr. Raghuvira and many other eminent scholars, scientists and engineers have upheld this view. I will be offering on 26th January 1950 two prototype machines after my device, made by a reputed European firm, for your consideration and test. As the relation of the keyboard and typewriter has a revolutionary impact on our cultural nationalism I pray you should postpone your decision till my machines arrive. I may add that the perfecting of this

Dr. Rajendra Prasad:

invention has involved a tremendous amount of labour and sacrifice.

Yours respectfully,
Ajit Singh

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

Enclosure:

(Copy of letter from Balkrishna to Ajit Singh)

CONSTITUENT ASSEMBLY OF INDIA

Council House
New Delhi
The 15th November 1949

Dear Mr. Ajit Singh,

With reference to your letter dated 30th October, addressed to Hon'ble the President, I am desirous to inform you that the matter is now in the hands of the Government of India and as such this Secretariat cannot take any steps either with regard to the testing of your machine or for securing any facilities for you from the Telegraph Department for making your experiments on Devanagari teleprinter.

Yours faithfully,
Balkrishna
Under Secretary

Mr. Ajit Singh
House No. 1818, Near Kalimasjid, Bazar Sitaram
Delhi.

218. *From Rafi Ahmed Kidwai*

New Delhi
December 22, 1949

My dear Rajendra Babu,

This is to acknowledge receipt of your letter No. CA/103/HSHT/49 dated

December 18, 1949. As you are no doubt aware the Department has evolved a telegraphic code and messages are being successfully transmitted in this code for the last few months. If it is found that the scheme suggested is an improvement on the code adopted, I have no doubt it will be accepted. Technical officers will examine the proposal and I will let you know the results.

Yours sincerely,
Rafi Ahmed Kidwai
Minister for Communications

The Hon'ble Dr. Rajendra Prasad
President, Constituent Assembly of India
New Delhi.

219. *From P.B. Chandwani*

2 Raja Bazar Square
New Delhi
24th December 1949

Dear Sir,

I am for the first time constrained to trouble you with a request. Over a year and a half ago you were good enough to permit me to send you a draft letter for Shri Gadgil requesting him to allot a house to me. As you left Delhi soon after on grounds of health, I continued staying with my elder brother at grave personal inconvenience to both him and me. The position has been aggravated as a result of his being shifted to a smaller house which too he is in danger of being asked to quit on the termination of his contract as Administrative Officer, Delhi Electric Company, after a month or so.

I have, as you know, been engaged in public work of national importance for two and a half years. That I have been working in an honorary capacity should not, I submit, place me at a disadvantage as compared with Government servants or paid staff employed in the Central Relief Committee or elsewhere. In response to your call, I worked so hard for the Gandhi National Memorial Fund, but the result has been that I have been debarred from the allotment of a house at other places as such privilege is reserved for refugees registered in the Province concerned before a certain date while Delhi too has not been able to provide me with a shelter. I am, therefore, approaching you as Chairman of the Gandhi Smarak Nidhi for redress and if you feel that the request is reasonable, I hope you will be good enough to write strongly both to Shri Gadgil and Shri Mohanlal Saksena. Even a 3-room clerical quarter in New Delhi or, failing that, in Rajendra

Nagar (Pusa Road) may do for us.

With respects, and wishing you best of health,

Yours sincerely,
P.B. Chandwani

Dr. Rajendra Prasadji
1 Queen Victoria Road
New Delhi.

220. *To Abul Kalam Azad*

Camp: Bajajwadi, Wardha
December 24, 1949

My dear Maulana Sahib,

I spoke to you about Mr. Cherian Thomas who is an Indian Christian belonging to Malabar. He has been working in the All India Congress Committee office for the last 3 years or so. He is a man with capacity for organisation and is much interested in social welfare activities. He is a candidate for the United Nations Organisation Social Welfare Fellowship for 1950, which has been offered through the Ministry of Education. He will be a suitable person and will prove of great service to the country, if he gets this further training.

This is just to request you to consider his case when it comes before you.

Yours sincerely,
Rajendra Prasad

The Hon'ble Maulana Abul Kalam Azad
Minister for Education
Government of India
New Delhi.

221. *To P.N. Thapar*

1 Queen Victoria Road
New Delhi
24/26 December 1949

Dear Mr. Thapar,

As you know, the Faridabad Development Board decided sometime ago that the Board should create its own organisation at Faridabad consisting of engineers and other staff and that this organisation should as soon as practicable be separated from the East Punjab P.W.D. We are grateful to the East Punjab Government for their cooperation in organising a machinery under the Board

and also for allowing the Board to utilise the part-time services of their Chief Engineer, Shri P.L. Varma. It has, however, not yet been possible to separate the Board's organisation from the East Punjab P.W.D. This is causing difficulties. Now that the Board's activities have taken a definite shape and have assumed considerable proportions, it has become very necessary to separate the organisation at Faridabad and treat the officers as the Board's own employees and to make arrangements for paying their salaries. I, therefore, write to request you that the services of the officers of the East Punjab P.W.D. posted at Faridabad may kindly be transferred to the Board with effect from the 1st January 1950. As regards the arrangements with regard to Mr. Varma, the Board has now decided to appoint a whole-time Administrator and I shall be glad if Mr. Varma would continue until this officer is appointed.

Some consequent arrangements regarding the drawing and disbursing of moneys are also necessary. We are arranging with the Auditor-General of India that the Board's accounts, together with the accounts of expenditure on the Faridabad Camp which is now under the Board, will be controlled by the Accountant-General, East Punjab. Moneys spent on the Camp will also pass through the East Punjab Government in the same way as funds have been made available for the township construction. The control of all expenditure will be centralised in the hands of the Accountant-General, East Punjab. It is, however, very necessary to devise some simple method of drawing funds for the Board's expenditure. At its last meeting on the 12th December 1949, the Board decided that a personal account should be opened in the name of the Chairman with the Imperial Bank of India, New Delhi, and credit should be made available to this account by the East Punjab Government so that funds may be drawn by the officers of the Board under the authority of the Chairman and expenditure may be incurred with the advice of the Financial Adviser. I shall be glad if you would kindly make credit available in the account of the Chairman of the Faridabad Development Board with the Imperial Bank of India, New Delhi, to the extent of Rs.10 lakhs, in the first instance, by arrangement with the Accountant-General, East Punjab. This may please be done at an early date so that work at Faridabad may not suffer.

As soon as the Board's organisation is separated from the East Punjab P.W.D. it will be necessary to make certain specific arrangements with various departments of the East Punjab Government for their cooperation with the Board's work at Faridabad. The departments mainly concerned are:

1. Public Works Department;
2. Electricity Department;
3. Public Health Department; and
4. Land Acquisition Department.

I shall be glad if you would kindly arrange with the heads of these departments that all necessary assistance may be given by them to our Administrator

in connection with the different branches of work at Faridabad. The Board's officers will treat your office as a normal channel of communication to all departments of the East Punjab Government.

Yours sincerely,
Rajendra Prasad

Shri P.N. Thapar, I.C.S.
Financial Commissioner, Rehabilitation
East Punjab, Simla.

222. *To Dr. Syama Prasad Mookerjee*

Camp: Bajajwadi
Wardha
The 26th December 1949

My dear Dr. Syama Prasad,

Please excuse the delay in writing to you in reply to your letter No. 123(59)-Tax. 1/48 dated the 26th November 1949, asking for my opinion and suggestions regarding the proposed 'Khaddar' (Protection of Name) Bill, 1949. I could not write to you earlier as I considered it desirable to have a talk with the prominent members of the All-India Spinners' Association. I have since had a talk with them. Their feeling is that the Khaddar industry, besides being a cottage industry capable of widest application in the villages, aims at creating self-sufficiency in the country and has already been recognised as a very potent medium of education. The All-India Spinners' Association have maintained these ideals of industry and have been keeping a strict watch and vigilance over profiteering in Khaddar business. They feel that if the authority to issue licences is given to persons who are not fully conversant with the technique of Khaddar-making, there is a chance of the authority being abused. I am told that a similar enactment in the Madras Presidency has been misapplied and dealers in Khaddar have been licensed in the Andhra part of the Presidency without proper scrutiny and safeguards against profiteering. They would, therefore, suggest that the All-India Spinners' Association should be given the authority to license genuine Khaddar producers and dealers. But apart from this suggestion which I do not know if it will be proper for the Government to accept, the all-India Bill as also



Dr. Rajendra Prasad with R.R. Diwakar



Dr. Rajendra Prasad signing some important papers as President of the Constituent Assembly

the Bill for the Provinces are quite satisfactory.

Yours sincerely,
Rajendra Prasad

The Hon'ble Dr. Syama Prasad Mookerjee
Minister for I. & S.
Government of India
New Delhi.

223. From Lal C. Verman

INDIAN STANDARDS INSTITUTION

Our Ref: ENG 2(8)

Old Secretariat
Delhi-2
5 January 1950

Subject: *Introduction of Metric System of Weights and Measures.*

Dear Sir,

From a report in *The Hindu* of 3rd January 1950, it is most gratifying for us to note that you have expressed yourself in favour of the introduction of metric system of weights and measures in the country.

2. On behalf of the ISI, please allow me to express our appreciation of your kind support to the efforts which the ISI is at present engaged in towards rationalisation and unification of the diverse systems of weights and measures in the country through the introduction of metric system.

3. In view of your interest in the subject, we hope that you will find time in going through the Report of the ISI on the subject a copy of which I am sending you herewith. This report has been sent to the Government of India through the Ministry of Industry and Supply and contains the recommendations of the Institution which have been formulated after a thorough investigation and determination of the general consensus of opinion in the country.

4. I shall be highly grateful if you will kindly give me an opportunity to discuss

Dr. Rajendra Prasad:

with you the various measures which the ISI has suggested for the Government of India to undertake.

Yours faithfully,
Lal C. Verman
Director

The Honourable Dr. Rajendra Prasad
President, Constituent Assembly of India
Council House
New Delhi.

Enclosure not included.

224. *From Anand Mangal Misra*

UNIVERSITY OF SAUGAR

44 Cantt., Saugar, C.P.
7th January 1950

Revered Sir,

The Third Annual Convocation of the University will be held on Monday the 16th January 1950 at 3.30 p.m. So you can start, Sir, for Saugar, from Delhi on the 15th night by Bombay Express. This Express will reach Lalitpur at about 8 a.m. on the 16th. One of us will receive you, Sir, at Lalitpur Station and from there we can motor to Saugar.

Your Convocation Address etc. will be over by the 16th evening. The President, District Congress Committee, and the public desire that a public meeting should be addressed by you. So if you kindly agree to this, a meeting will be arranged at 6.30 p.m. or so according to your convenience.

I am anxious to see that only pure milk and milk products of cow only are served to you, Sir, during your stay here. From health point of view I insist that you should be kind enough to agree to take tea, lunch, dinner, etc., at my bungalow during your whole stay here. The Hon'ble Pandit R.S. Shukla has approved this and I trust you will kindly agree to my request.

A tentative itinerary is enclosed for such modifications as may be desired.

Eagerly awaiting to hear early from you, Sir, and with profound regards and respects,

Yours sincerely,
Anand Mangal Misra
Treasurer

The Hon'ble Dr. Rajendra Prasad, M.A., M.L., LL.D.
President, Constituent Assembly
Camp: Gandhi Ashram, Wardha.

Copy to the Hon'ble Pandit Ravi Shanker Shukla, Prime Minister, C.P. and Berar,
and Chancellor, University of Saugar.

Enclosure not included.

225. *From Dr. Bisheshwar Prasad*

INDIAN HISTORY CONGRESS

Simla
11th January 1950

Dear Doctor Sahib,

As desired by you, I met Professor Nilakanta Sastri on the afternoon of 6th January in Delhi. He must have met you after my talk with him and would have indicated to you the substance of it. I gather from his talk that he will be prepared to undertake the work of seeing the volumes of the History of India through the press and securing contributions from the various scholars. He feels, however, that it would not be practicable for him to move from Madras where he thinks he will have better facilities of doing this work. He told me that he would have library facilities at his command and that being in his own home he would not be uprooted from his surroundings which would make his work easy there. He also told me that in case he was allowed to carry on this work in Madras, he would have the office in his own house for which he would charge no rent. As regards his emoluments, he mentioned that in case he was to work in Madras he would like to be paid at least Rs.750 per mensem but he would prefer to have Rs.1,000 if we could afford to pay him so much. For the present he would have only one stenotypist to help him. He further suggested that in case he was asked to come to Delhi he could not afford to accept a sum lower than Rs.2,000 a month. He also suggested that he had some offers from elsewhere and that you should take an early decision in the matter. In case he is to be engaged then the decision should

be arrived at within a fortnight or so, so that he may, in case you are not able to make use of his services, be able to avail of the other offers.

Though I feel that an office in Delhi would have facilitated the work, yet I appreciate the strength of the arguments of Professor Nilakanta Sastri. In case we have to make use of his services for this work we will have to let him do the work in Madras. Now that a few volumes would soon be ready, we may have to avail of his services in order to see them through the press and to secure uniformity in their production and final get-up. Dr. Tara Chand will soon be back in Delhi. I hope you will kindly discuss this matter with him and decide about it.

Perhaps I mentioned to you that we have at present a sum of Rs.1,75,000 in the bank. Of course that will not suffice for the completion of the scheme, but if the work has to be done efficiently, I feel that we should not grudge to set apart a sum of about Rs.50,000 for the kind of work which Professor Nilakanta Sastri might be expected to do. If we have to make use of his services, we will have to spend some Rs.12,000 to 15,000 a year which, within three years, would amount to about Rs.50,000.

There is likely to be some objection in certain quarters to his appointment, but I feel that the opposition would be largely based on some misunderstanding. It should be made clear that Professor Sastri would not act as a Super or Chief Editor. His main task would be to see the volumes through the press and to undertake all those technical jobs which are incidental to the production of a scheme of this nature. The resolution which was adopted at the Committee meeting on 5th January has defined his position and should not cause any misgivings in the minds of others. I hope you will kindly consider all these matters and after discussing it with Dr. Tara Chand, let me have your final decision so that I could take steps in the matter.

I have written today to Sir Jadunath Sarkar and shall communicate to you his decision when I receive his reply.

I am also taking other steps to expedite the production of these volumes. I hope that with your blessings and with the earnest efforts of every one of us, this scheme would soon materialise. The chief hurdle had been the presence of two schemes and now that we have accepted their amalgamation, I hope that work will now proceed fast enough.

With respects,

Yours obediently,
Bisheshwar Prasad
General Secretary

The Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

226. *To Dr. Tara Chand*

1 Queen Victoria Road
New Delhi
January 11, 1950

My dear Dr. Tara Chand,

You will recollect that sometime last year I had recommended to you the case of Shri Parmatma Prakash Gupta who was a candidate for the U.N.O. fellowship. You wrote to me saying that the selections were made before you could receive my letter and you would consider him next time.

I understand that he has again applied this year and this is just to remind you for him. He is an energetic young man and given the chance he is sure to prove useful to the cause.

Yours sincerely,
Rajendra Prasad

Dr. Tara Chand
22 Aurangzeb Road
New Delhi.

227. *From Dr. Sachchidananda Sinha*

Sinha Library Road
G.P.O. Box No. 62
Patna
The 13th January 1950

My dear Rajendra,

I have just received the text of my article, with your very kindly carried out corrections, which I have all duly embodied, except one. The one exception is that—I think your memory is at fault, and not mine, or perhaps we are both erring—and that is about the election: when I was a candidate as Vice-Chancellor of the University, and the Congress Ministry came into power, for the first time, I don't think it was in 1926, but in 1936-37. I have, accordingly, made it 1936-37. Anyway, it is a mere trifle. As regards the amount raised by the Earthquake Fund, I have made it (after verifying the matter, so far as I can) into over thirty-eight lakhs. I think, it is quite alright now, so far as the facts are concerned.

I shall write to you a letter after the 16th, when you will have returned to Delhi.

With my blessings and good wishes, I remain,

Ever yours affectionately,
S. Sinha

228. From Dr. Bisheshwar Prasad

INDIAN HISTORY CONGRESS

Ref: 1342/Ihc.

Simla
20th January 1950

My dear Doctor Sahib,

As desired by you and the Committee I had written to Sir Jadunath Sarkar requesting him to accept the presidentship of the Editorial Board. I have received a letter in reply to my request which I am enclosing herewith. He is averse to any scheme of cooperative effort and in view of his remarks it seems we will have to elect someone else as the President of the Editorial Board. Personally I would like that Dr. Tara Chand should be requested to become its President.

Yours obediently,
Bisheshwar Prasad
General Secretary

Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

Enclosure:

(Copy of a letter from Sir Jadunath Sarkar to Dr. Bisheshwar Prasad)

10 Lake Terrace
Calcutta-29
17th January 1950

Dear Sir,

Your letter No. 1339, dated 11 January 1950. I am not prepared to accept the Presidentship of the Editorial Board, or a seat on it, as I still hold the view that such an undertaking as a worthy History of India can be carried to completion only by following the policy adopted by the Cambridge University in respect of its *Cambridge History of India*, and not by a debating club.

Three chapters on the reign of Akbar which reached my hands some years ago for the Benares volume, will be soon sent to you for consideration by your Board or return to the respective writers.

Yours faithfully,
Jadunath Sarkar

229. To Kala Venkata Rao

1 Queen Victoria Road
New Delhi
21st January 1950

My dear Shri Kala Venkata Rao,

I am enclosing herewith five copies of my award in the Dalmianagar arbitration.* The copies have been revised and signed. One copy may be retained for purposes of record in the office, a second copy may be sent to the Rohtas Industries Limited, two copies to the two Unions and a fifth copy to the Government of Bihar. I shall be obliged if you could get a copy made and sent to me for future reference if any occasion arises.

Yours sincerely,
Rajendra Prasad

Shri Kala Venkata Rao
General Secretary, A.I.C.C.
7 Jantar Mantar Road
New Delhi.

*See enclosure to Kala Venkata Rao's letter to Dr. Rajendra Prasad, dated 24 January 1950, for the Award.

230. From Kala Venkata Rao

ALL INDIA CONGRESS COMMITTEE

Ref: PB.4(i)/2210

7 Jantar Mantar Road
New Delhi
24 January 1950

Revered Rajen Babu,

As per your kind letter dated 21.1.50 I am sending your Award in the Dalmianagar Labour Dispute to all the concerned parties. I am also sending herewith a copy of the award for your file as desired by you.

With regards,

Yours reverently,
Kala Venkata Rao
General Secretary

Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road
New Delhi.

Enclosure:

(A copy of Dr. Rajendra Prasad's Award in the Dalmianagar arbitration)

This reference to my arbitration arises out of a dispute between the management of the Rohtas Industries Limited and the two Labour Unions which have been functioning there. There was a prolonged strike in December 1948 and January 1949 in the course of which a number of employees were dismissed. After the strike had been called off an effort was made to get them reinstated but it failed. Thereupon Shri Baswan Singh, the President of the Rohtas Industries Mazdoor Sangh, went on hunger-strike on the 8th March 1949 which he gave up on the 30th day when it was arranged that the matter would be referred to my arbitration. The terms of reference have not been laid down with any precision and I take it that I have to take a comprehensive view of the whole situation and give my award mainly on the question of reinstatement of the dismissed hands. There is a demand on behalf of the Company that they have suffered a great loss and that that matter should also be investigated. But I have not gone into that matter as the Government representative had no instruction on that point and I also felt that I was not called upon to do it.

It is necessary to give a short account of the position at Dalmianagar. The Rohtas Industries comprise a number of factories among which the sugar factory may be mentioned in particular. That factory was declared by a Government notification dated the 3rd November 1948 to be a public utility service under the Industrial Disputes Act for a period of six months with effect from the 1st of November. It is stated that the sugar factory has been so treated in previous years also.

There are two Unions at Dalmianagar, one known as the Rohtas Industries Mazdoor Sangh, hereinafter called the Socialist Union, was established in 1937. It claims that till the time when the dispute arose, it represented nearly 95% of the workers. The other Union is known as Dalmianagar Mazdoor Seva Sangh, hereinafter called as the INTUC Union, which was established on 15-5-48 and it is said that it gradually began to gain strength. It applied to the Company for recognition. Shri Hariharnath Sastri visited Dalmianagar on 5-10-48 and there was some trouble between the workers of the two Unions. The Revenue Minister of Bihar visited Dalmianagar on 3-11-48 and addressed a meeting in which there was some disturbance and some persons were arrested in connection therewith. Thereafter, that is, on 10-11-48, the Company recognised the INTUC Union also. It did not withdraw recognition from the Socialist Union. On the 19th November the Socialist Union served a notice on the management which opened with the sentence that "the Company has made an improper and cruel attack on the old and sole legal organisation of the workers, namely, the Rohtas Industries Mazdoor Sangh, by recognising the local branch of the Indian National Trade Union Congress which is not a representative organisation of the workers of Dalmianagar". The notice proceeded to state that this had been done with a view

agreeable to withdraw the demand relating to the cancellation of the recognition of the INTUC Union. Conciliation therefore failed and the Conciliation Officer made a report to that effect to the Government on the 1st December requesting the Government to refer the dispute to an Industrial Tribunal for adjudication. He recommended immediate action as the strike was to commence on 3-12-48. On the 2nd December the Government referred the dispute as between the two Unions and the Rohtas Industries Limited to an Industrial Tribunal of which Mr. Jeejeebhoy was to be the sole member under sections 7 and 10 (1) of the Industrial Dispute Act, 1947. The items mentioned in the demands of the Socialist Union and the INTUC Union were all mentioned in Annexure A except the first demand of the Socialist Union regarding the withdrawal of recognition from the INTUC Union. There was the last item in the Annexure, namely, item No. 17 which mentioned any other matter which the Tribunal may consider necessary after hearing both the parties. The notification further said that in exercise of the power conferred by sub-section 3 of section 10 the Governor of Bihar prohibited the continuance of strikes which may be in existence on the day. This was published in the Bihar Gazette and otherwise notified by beat of drum at Dalmianagar. At the foot of the notification there is a memo which has four paragraphs. The first paragraph mentions the various persons to whom copy of the notification was forwarded. The second paragraph was as follows: "Although the Government did not consider it necessary to take the question of withdrawal of recognition to the INTUC Union, it is open to the Secretary, Dalmianagar Mazdoor Seva Sangh, to take this issue or any other issue before the Adjudicator." The third paragraph contained a request to Mr. Jeejeebhoy to send his award as soon as possible. The fourth paragraph requested the Hindi and Urdu Translator to translate the English version of the notification and send it to the Government Printing Press for publication. On the 3rd December this notification was given publicity and on the 4th December the general strike started and the Watch and Ward strike continued. On the 11th December representatives of the Company as well as both the Unions appeared before Mr. Jeejeebhoy but the Socialist Union declined to participate in the proceedings until the recognition to the other Union was withdrawn. In his report dated 6th May 1949 which he submitted later Mr. Jeejeebhoy says that he felt precluded from considering the first issue regarding the recognition of the INTUC Union unless its Secretary decided to bring it before the Tribunal and when the Socialist Union withdrew, he left it open to them to participate in the proceedings before him at any time they chose to do so. He says he tried to persuade the Socialist Union to call off the strike but was told that until the recognition of the INTUC Union was withdrawn the basis of the strike would continue. He doubted whether the question of the recognition of the Union was an "industrial dispute". His report says: "R.M.S.S. (Socialist) Union agreed that there was nothing to prevent the existence of the two Unions but maintained that before the Union could be recognised, it should be shown to be the representative of the workmen; in reply to my question as to what would satisfy the test of a representative

character, I was told that if the Union had the support of 20% of the workmen of the concern, it could be said to be representative. I thereupon asked D.M.S.S. (INTUC) Union whether they were prepared that I should apply that test with a view to ending the unfortunate dispute. The D.M.S.S. (INTUC) Union promptly agreed; and I was about to make an agreed order when the R.M.S.S. (Socialist) Union sought to impose as a condition precedent to such test that the recognition which had been accorded to the D.M.S.S. (INTUC) Union should first be withdrawn by the management. This condition was not acceptable to the D.M.S.S. Union or to the employers and I expressed the view at that time that it was a condition which could not be reasonably imposed. The R.M.S.S. Union thereupon declined to take part in the proceedings or to have the test of representative character applied and nothing further could be done. I left it open to the R.M.S.S. Union to participate in the proceedings at any stage and they ultimately after the end of the strike filed their statement of claim and took an active part in the proceedings."

The strike, however, continued in spite of the prohibition of the Government and on the 18th December the management notified to the workers that unless they returned to duty, they would be dismissed. The strikers however did not return and formal orders of the dismissal were issued on the 24th December against some 400 of them. Attempts were made to bring about a settlement but nothing came out of them and on the 31st December orders of dismissal were issued regarding the other strikers. The Government on the 31st January issued an amendment by substituting for paragraph 2 of the memorandum of 2nd December as follows: "Although the Government do not consider it necessary to refer the question of recognition of the Dalmianagar Mazdoor Seva Sangh, it is open to any party to the dispute to take this issue or any other issue before the Tribunal." On the 3rd February, Shri Baswan Singh, President of the Socialist Union, was arrested. The strike had practically failed by the first week of February and was called off by the Socialist Union on 7-2-49. Shri Baswan Singh was released on the 23rd February. Three employees, namely, Suraj Singh, Radhakant Jha and Motilal had been arrested and prosecuted under section 26 of the Industrial Disputes Act for participating in and furthering the strike which had been declared illegal. They were convicted by the Magistrate on 15th January 1949 under section 26 and sentenced to undergo rigorous imprisonment of one month each and to pay a fine of Rs.50 or, in default, suffer rigorous imprisonment of one week each. The Magistrate says: "In view of these facts there can be no two opinions that the accused persons have been on strike which was declared illegal by a competent authority and duly promulgated, and are continuing the same." After the withdrawal of the strike and after his release on the 23rd February, Shri Baswan Singh saw the Manager of the Company on the 28th February in connection with the reinstatement of the dismissed workmen and he wrote to him on the 8th March that he had made it clear to the Manager that if the Company did not change its decision regarding their reinstatement, then he would have to undertake a fast which will continue until the dismissed

hands were taken back. He started his hunger-strike as has been stated above on that day. The point therefore which I have to consider is whether the dismissal was wrongful and the dismissed workers should be reinstated. The Company's answer is that the dismissal was not wrongful but lawful and right because the strike was illegal, being prohibited by Government notification dated the 2nd December.

Under section 23 of the Act there can be no strike during the pendency of proceedings before a Tribunal and two months after the conclusion of such proceedings. In this case the Tribunal was appointed on the 2nd December. It held its first sitting on the 11th December and continued the same till sometime in May. The general strike started on the 4th December and continued till 7th February and was therefore illegal under section 24 which lays down that a strike is illegal if it is commenced or declared in contravention of section 22 or section 23 or continued in contravention of an order made under sub-section (3) of section 10. It has already been mentioned that the sugar factory had been declared to be a public utility service and therefore no person could go on strike during the pendency of any conciliation proceedings and seven days after the conclusion of such proceedings. It is stated that in this case the conciliation proceedings had concluded with the report of the Conciliation Officer on the 1st December and as this strike started on the 4th December within seven days of the conclusion of such proceedings it was illegal. Even if the conciliation proceedings be taken to have terminated on the 29th November when the attempt at Patna in the presence of the Revenue Minister for bringing about a settlement failed it would still be illegal as being within seven days of that date. Further, the strike of Watch and Ward Department workers which had commenced on the 21st November had also continued, after the reference of the entire dispute to the Industrial Tribunal by the notification of the Government dated the 2nd December and after the Government had prohibited under sub-section (3) of section 10 of the Act continuance of all strikes that might be in existence on the day of the notification.

It is argued on behalf of the Socialist Union that section 23 does not apply as the original reference by the Government to Mr. Jeejeebhoy did not include one of the demands, namely, the request for withdrawal of recognition given to the INTUC Union by the Company and therefore the workers were free to strike for securing this demand which was not referred to the Tribunal. The point therefore requiring decision is whether the strike was illegal under section 23 which lays down that "no workman ... shall go on strike ... during the pendency of proceedings before a Tribunal and two months after the conclusion of such proceedings. The section is not limited by any condition that the strike which is prohibited is a strike in connection with any of the points referred to the Tribunal. The words are perfectly general without any such limitation and it has been in *Prabhatkumar vs. W.T.C. Parker*, 54 C.W.N., page 84, that the words of clauses (a) and (b) of section 23 cover all strikes and lockouts and there is nothing in these two clauses from which the court can infer that a strike or lockout is permissible

in view of the previous decision.

It has also been argued that the question of recognition was not an industrial dispute within the definition given in section 2 (k) of the Industrial Dispute Act. Section 2 (k) lays down: "Industrial Dispute means any dispute or difference between employers and employers or between employers and workmen or between workmen and workmen which is connected with the employment or unemployment or the terms of employment or with the conditions of labour of any person." As this is not a dispute which is connected with the employment or unemployment or the terms of employment or with conditions of labour of any person, it was not an industrial dispute and therefore it could not in law be referred to a Tribunal under section 10 which lays down expressly that if an industrial dispute exists or is apprehended, the proper Government may by order in writing refer the dispute to a Tribunal for adjudication. Some decisions of Tribunals have been placed before me to show that the question of recognition of a Union is not an industrial dispute within the Act. But it is not necessary for me to consider this point. If the strike is held to be illegal, as it must be in the circumstances stated above, it is immaterial whether that particular item was or was not an industrial dispute and whether the workers would be justified to go on strike for enforcing it when I agree with the decision of the Calcutta High Court that the strike, irrespective of whether it is in respect of a matter under adjudication before the Tribunal or not, is illegal. Since the strike was illegal, dismissal was not illegal and therefore no question of reinstatement as a matter of law or as a matter of right arises. It has been pointed out, however, that these workers who have been dismissed are all old workers who have practically built up the factory and it is very hard that they should be dismissed in this way. On the other hand, the Company recruited new hands and it has asserted that it is not in a position to reinstate the old hands without removing the new recruits. The Socialist Union also is not in favour of removal of the new hands but says that the factory can absorb these dismissed persons also. Sjt. S.P. Jain, the Managing Director, who was willing to take back the old hands, as occasion and vacancy arose, complained that the Company had suffered a heavy loss and was not in a position to absorb them at present. But he assured me that in case of vacancy old hands would be given preference but he would reserve the right to himself not to take any particular individual whom he considered undesirable. I am sorry that many workers have been thrown out of employment and can only express the hope that the Company would forget and forgive and, when vacancy arises, absorb as many of them as possible. This cannot be a part of my award which is that the strike being illegal, the dismissal was legal, and reinstatement cannot be claimed as a matter of right.

The Socialist Union, apart from the reinstatement of the dismissed persons and other reliefs arising out of the dismissal, has asked for the restoration of its rights as a recognised Union and for an assurance that the management will not give differential treatment to them on account of their association with one Union or the other. As Mr. Jeejeebhoy has pointed out, there has been considerable change in the position of the two Unions on account of and during

and since the strike. But I do not think the management have withdrawn recognition from the Socialist Union, and if that is so there is no reason why they should not give it all the rights that a recognised Union have. As regards differential treatment on account of association that is a matter which cannot be regulated by an award and must be left to the good sense of the parties.

Much was said by the management regarding violence indulged in by members of the Socialist Union during the period of the strike resulting in serious personal injuries to several of the workers who did not join the strike and also about a fire in the paper factory and godown which was attributed to arson and the consequent loss of several lakhs worth of raw material like waste paper, pulp and resin besides injury to building and machinery. It was also said that the sugar factory machinery was tampered with and the factory suffered heavy loss on account of low recovery of sugar from cane which was due partly to the damage to the machinery and partly to delayed crushing which caused the cane to dry up. The factory claims that this loss should be made good by the Government as it was at the instance and insistence of the Government of Bihar that it was run to produce and supply an essential item of food like sugar and to save the kisans who had grown the sugarcane from heavy loss. The Socialist Union has of course stoutly denied that its members were guilty of violence or sabotage. As I have stated above, it was not necessary for me to investigate this charge to come to a definite conclusion for the purpose of the arbitration before me. Similarly, with regard to the factory's claim I thought it was beyond the scope of my authority and in fact the Government representative had no authority or instruction to assist me. So I have not dealt with that matter.

One point, on which much stress has been laid by Sjt. S.P. Jain, is whether Sri Baswan Singh's fast was justified. All that I can say about such fasts is that they should not be resorted to for gaining political or other ends. Mahatma Gandhi was a person *sui generis* and it is no use following his example in this respect alone when there are various other things of a fundamental nature in which one is not prepared to accept his principles and act up to them. For example, it is no use indulging in a fast without his background and unalterable faith in non-violence which rules out any coercive fast, and a fast by a person without that background and faith is essentially a coercive fast. But nothing in this arbitration turns upon the nature of this fast of Sjt. Baswan Singh and what I have said is only what I consider to be the scope of a fast by a public worker.

Rajendra Prasad
20.1.50

CORRESPONDENCE

PART II

1. *From Louis Fischer to Vallabhbhai Patel*

237 Madison Avenue
New York 16
2 February 1949

Dear Sardar Patel,

Greetings and best wishes for your good health.

I am writing the life of Mahatma Gandhi and want to be sure that there are no inaccuracies in it. I see, from an account of the trial in *The Hindustan Times* of 31 August 1948, that Maniben was with you in your last talk with Bapu. Is this correct?

The same witness declared that he saw you and Maniben off to the inner gate. I would like to know how far from the scene you had gone and how you learned of the assassination, for apparently you were back at Bapu's side in a few minutes.

These facts may not seem of great moment, but it is better to have the facts as they were.

Respectfully,
Louis Fischer

Sardar Vallabhbhai Patel.

2. *From Vallabhbhai Patel to Louis Fischer*

New Delhi
9 February 1949

Dear Mr. Louis Fischer,

Thank you for your letter of 2 February 1949.

It is correct to say that Maniben was with me during my last talk with Bapu. After we left Bapu we returned to our house. We had hardly been there for a minute or two when Brijkishan [Chandiwala], whom you probably know as he always used to be with Bapu in Delhi, came in hot haste and told me that Bapu had been shot. We immediately went back to Birla House and were by his side within about five or ten minutes of his assassination.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

Mr. Louis Fischer
237 Madison Avenue
New York 16.

3. *From P.R. Das to Jawaharlal Nehru*

Shantiniketan
Fraser Road, Patna
11th February 1949

My dear Panditji,

I think it right that I should inform you that I am proposing to send a communication to the Secretary-General, United Nations Organisation, of which I enclose a copy. I have little hope that you will have time to peruse the communication; but I venture to think that it will repay perusal.

I confess that I am, and have always been, one of your most ardent admirers. It is your great personality that has put India on the international map. I am convinced that your leadership and that of Sardar Vallabhbhai Patel is essential for many years to come.

At the same time I am also convinced that you are aiming at Congress dictatorship. There is no such thing as the liberty of the Press today. The latest outrage is an order by Bengal Government on *Saturday Mail* requiring that all matters intended for publication shall be submitted for scrutiny to the Secretary to the Government of West Bengal and that no issue of the journal shall be published except with his written permission. The Congress President has recently admitted that the Press enjoys less freedom today than it did under the British.

So far as personal liberty is concerned we are in no better position. Thousands of men all over India are today in jail under what the Congress leaders—and particularly my brother the late Deshbandhu Chittaranjan Das—used to describe as “lawless laws”. These people who are in jail today have no right to appeal to courts of law; and the courts of law have no right to consider whether their detention is at all justified.

I suggest with great humility that you have no right to call India a democratic state unless you guarantee the liberty of the Press and the liberty of the subject. The fundamental rights embodied in the Constitution approved by the Constituent Assembly constitute a grave danger both to the liberty of the Press and the liberty of the subject. I have dealt with it fully in an article which I contributed to the *Indian Law Review*, a copy of which I sent for your perusal.

Man, the individual, has, from the dawn of history always been the victim of governmental oppression. That must be so wherever any Constitution permits (as the Constitution of India does) the discretion of the executive to be substituted for the discretion of the courts, so far as liberty of the subject is concerned. I thought that your idealism would help to establish the Rule of Law in India. But that is not to be. And so, though independence has come, another struggle awaits the country to win freedom for the people.

Yours sincerely,
P.R. Das

Enclosure:

(Copy of letter from P.R. Das to Trygve Lie, Secretary-General of the United Nations)

“Shantiniketan”
Fraser Road, Patna
India

Sir,

I venture to address you on the Constitution of India which is now being considered and framed by the Constituent Assembly of India. I consider that certain Articles already adopted constitute a serious menace to the liberty of the subject, and are against the spirit, if not the letter, of the Charter of the United Nations. In my opinion, the United Nations Organisation will be justified, therefore, in taking note of what is being done in India.

I ought to mention that, prior to the independence of India on August 15th, 1947, there existed a series of statutes which gave complete discretionary power to the executive government (1) to suppress political parties, (2) to detain persons in custody without bringing them up to trial, (3) to control the Press, and (4) to otherwise interfere with the liberty of the subject. ‘Rule of Law’, in the sense in which that term has been used by Professor Dicey, and other writers on Constitutional Law, was unknown to us in India, and the British Government had possessed themselves large discretionary authority to imprison any person without bringing such a person before the ordinary courts. ‘Rule of Law’ means that “no man is punishable or can be lawfully made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of Law”. Experience has shown, as Professor Dicey points out in his *Law of the Constitution* that “wherever there is discretion there is room for arbitrariness, and that in a Republic, no less than in Monarchy, discretionary authority on the part of the Government must mean insecurity for legal freedom on the part of its subjects”. While in opposition, the Indian Congress leaders, many of whom were victims of this discretionary authority on the part of the British Government, were never tired of strongly denouncing these laws which they described as ‘lawless laws’. But, as soon as Congress came into power, it found it convenient not only to retain all these ‘lawless laws’ but to enact various Acts, called Security Acts, under which the provincial executive governments have obtained enormous discretionary power to imprison persons without bringing them up to trial. In Bengal, under the recent Security Act, extensive power has been given to the Police to make searches without warrants, which provision (as to searches without warrants) strikes at the root of personal liberty. The maxim that ‘every man’s house is his castle’ is a part of British and American, and, I believe, of every civilised nation’s constitutional law. I would

refer you to the celebrated case of Wilkes in this connection. The latest outrage on the freedom of the Press is an order on *Saturday Mail* requiring that all matters intended for publication shall be submitted for scrutiny to the Secretary to the Government, West Bengal, and that no issue of this journal shall be published except with his written permission. Dr. Pattabhi Sitaramayya, the Congress President, at a recent Press Conference has admitted that the liberty of the newspapers is "definitely less under the National Government" than what it was under the British regime.

Article 13 of the Constitution (as adopted by the Constituent Assembly of India) recognises certain fundamental rights of the citizens, inter alia, to assemble peaceably, and without arms, and to form associations or unions; but all these are subject to 'existing laws', which existing laws recognise the right of the executive government at its discretion to suppress political parties and prevent assembly of persons and break up meetings. In other words, what has been given by one hand has been taken away by the other.

But it is Article 15 which constitutes the greatest menace to the liberty of the subject. That Article provides that "no person shall be deprived of his life or personal liberty except according to procedure established by law". It was suggested that the words of the American Constitution should be followed, namely, "...nor shall any State deprive any person of life, liberty or property, without due process of law". The framers of the Indian Constitution, however, preferred the words adopted by them from the Japanese Constitution on the ground that they are more specific than the words in the American Constitution. I maintain that the expression 'due process of law' has through judicial interpretations acquired a strictly definite connotation. These words were intended "to secure the individual from the arbitrary exercise of powers of Government, unrestrained by the established principles of private rights and distributive justice". The words adopted by the Constituent Assembly would enable the executive government to deprive a man of his personal liberty, provided the procedure is duly observed. As Dr. Harold Zink has pointed out in his *Government and Politics in the United States* (1947): "While procedural due process demands that actual conduct of the trial be in conformity with objective standards of justice, substantive due process demands that the laws under which trial is conducted be themselves just and fair." Sir Brojendra Mitter, a well-known Indian jurist, has pointed out that "Article 15 secures procedural due process only. It affords no protection against tyrannical laws." I enclose herewith copies of Articles 13 and 15 as adopted by the Constituent Assembly, and also a copy of an article which I contributed to the *Indian Law Review*, which has been reprinted for your perusal and consideration.*

Almost each provincial legislature has passed a Security Act curtailing the liberty of the subject. It will be sufficient for me to deal with one of these Acts: The West Bengal Security Act, 1948. It is a temporary Act, but steps are being taken all over India to convert these temporary Acts into permanent ones. Section 16 of the Act as it stood before its amendment ran as follows:

16. (1) The Provincial Government, if satisfied on reasonable grounds, with respect to any particular person that with a view to preventing him from doing any subversive act it is necessary so to do, may make an order

- (a) directing that he be detained;
- (b) directing that, except in so far as he may be permitted by the provisions of the order or by such authority or person as may be specified therein, he shall not be in any such area or place in West Bengal as may be specified in the order;
- (c) requiring him to reside or remain in such place or within such area in West Bengal as may be specified in the order and if he is not already there to proceed to that place or area within such time as may be specified in the order;
- (d) requiring him to notify his movements or to report himself or both to notify his movements and report himself in such manner, at such times and to such authority or person as may be specified in the order;
- (e) imposing upon him such restrictions as may be specified in the order in respect of his employment, business or movements, in respect of his association or communication with other persons, and in respect of his activities in relation to the dissemination of news or propagation of opinions.

(2) Where an order is made under sub-section (1) directing any person to be detained, the Provincial Government may, if it so thinks fit, grant to such person, in accordance with such rules as it may make in this behalf, such allowance of expenses as it may deem appropriate.

(3) If any person is in any area or place in contravention of an order made under the provisions of this section, or fails to leave any area or place in accordance with the requirements of such an order, then, without prejudice to the provisions of sub-section (6), he may be removed from such area or place by any police officer or by any person acting on behalf of the Provincial Government.

(4) So long as such an order as aforesaid in respect of any person directing that he be detained, is in force, he shall be liable to be removed to and detained in such place and under such conditions, which may include conditions as to maintenance, discipline or punishment for offences and breaches of discipline, as the Provincial Government may from time to time by general or special order specify.

(5) If the Provincial Government has reason to believe that a person in respect of whom such an order as aforesaid has been made directing that he be detained has absconded or is concealing himself so that the order cannot be executed, it may

- (a) make a report in writing of the fact to a Presidency Magistrate or a Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and thereupon the provisions of

sections 87, 88 and 89 of the Code of Criminal Procedure, 1898, shall apply in respect of the said person and his property as if the order directing that he be detained were a warrant issued by the Magistrate;

- (b) by notified order direct the said person to appear before such officer, at such place, and within such period as may be specified in the order; and if the said person fails to comply with such direction he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(6) If any person contravenes any order made under this section, other than an order of the nature referred to in clause (b) of sub-section (5), he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

You will notice that an order under section 16 could be made if the Provincial Government was satisfied "on reasonable grounds" with respect to any particular person that it was necessary to make an order with a view to prevent him from doing any subversive act. The case of some of the detenus came up before the Calcutta High Court, the case made on their behalf being that there was no "reasonable grounds" for their detention. In referring the case to a Full Bench, the Chief Justice of the Calcutta High Court said as follows:

Personal liberty is one of the most sacred rights possessed by citizens in any civilised state. There can be no doubt that by a clear and unambiguous legislation such rights can be seriously curtailed or even taken away from the subject altogether. The Courts, however, would require the clearest words before they would take away the liberty of the subject.

In the course of his judgment the Chief Justice expressed a strong view that it was open to the Court to examine whether reasonable grounds existed for the detention of the person concerned, and referred that question for the decision of a Full Bench. But before the question came up for decision the West Bengal Legislature, at the instance of the executive government, amended the Act by striking out the words "on reasonable grounds", thereby making it impossible for the High Court to examine whether the grounds on which the order for detention had been made were reasonable grounds or not.

Section 17, as it originally stood, provided for such detention for a period not exceeding three months subject to a proviso as follows:

Provided that the Provincial Government may, if and so often as it thinks fit, before the date on which under this section any such order would

otherwise have ceased to be in force, place before a Judge of the High Court in Calcutta, the grounds on which the order is made, the representation, if any, made under section 18 by the person affected thereby and such further materials as the Provincial Government may think fit and the Provincial Government shall, in accordance with the decision of the Judge thereon, issue an order of release or a fresh order of detention for such period not exceeding nine months as may be determined by the Judge:

Provided also that the person affected by the order shall not be entitled to be defended or represented by any lawyer or other person before the Judge:

Provided further that the Provincial Government shall be at liberty to release any such person at any time notwithstanding any provision hereinbefore contained.

Under this proviso the case of 107 detenus was placed before a judge of the High Court; and, startling as it may seem, the High Court ordered the release of 68 out of them, that is, more than 63 per cent, which shows that no grounds existed, reasonable or otherwise, or at all, for detaining these 68 out of 107 persons. It follows that 68 persons were deprived of their liberty at the mere whim and caprice of the Provincial Government. Under the amended Act the Government has a discretionary power to detain a person without trial for 9 months. As *The Statesman*, a leading Calcutta daily and the only British newspaper published in India and Pakistan, pointed out in its leading article of September 28, 1948: "Thus a man may be detained for ten months at the mere fiat of the executive." I may point out to you that hundreds of persons are under detention at the present moment "at the mere fiat of the executive" all over India. I may also add that the Congress Government has suppressed some political parties as illegal and is clearly aiming to make itself the only party in India.

The only question that remains for consideration is whether your Organisation can take note of what is happening in India.

I think I am right in pointing out that the express recognition, and the special protection of fundamental rights of man, have become a general principle of Constitutional Law of civilised states, and that International Law is increasingly taking note of this fact. Freedom from arbitrary arrests is surely a fundamental, inalienable and natural right of man. The view is gaining ground that the rights of man, unless grounded in, and safeguarded by, effective recognition on the part of the International Society, are not sufficiently protected against violent encroachment by the state. Experience has shown that the denial of the fundamental rights of men to freedom tends to constitute a danger to international peace. Hitler's Germany and Mussolini's Italy are cases in point. The rise in the period following the First Great War of various forms of authoritarian dictatorship gave a renewed impetus to the claim for an international recognition and protection of fundamental human rights. In 1929, the Institute of International Law adopted a Declaration of the International Rights of Man.

After a discussion organised by Mr. Ritchie Calder, in which people of every creed and all types participated, a Declaration of the Rights of Man was drawn up by a distinguished committee. This is known as the Sankey Declaration of Rights. This Declaration is set out at pages 242 to 248 of H.G. Wells' *The Outlook for Homo Sapiens*. I will take the liberty of quoting from it Article 9 of the Declaration:

9. *Personal liberty*: Unless a man is declared by a competent authority to be a danger to himself or others through mental abnormality, a declaration which must be confirmed within seven days and thereafter reviewed at least annually, he shall not be restrained for more than twenty-four hours without being charged with a definite offence, nor shall he be remanded for a longer period than eight days without his consent, nor imprisoned for more than three months without a trial.

At a reasonable time before his trial, he shall be furnished with a copy of the evidence which it is proposed to use against him.

At the end of the three months' period, if he has not been tried and sentenced by due process of the law, he shall be acquitted and released. No man shall be charged more than once for the same offence.

Although he is open to the free criticism of his fellows, a man shall have adequate protection from any misrepresentation that may distress or injure him.

Secret evidence is not permissible. Statements recorded in administrative dossiers shall not be used to justify the slightest infringement of personal liberty. A dossier is merely a memorandum for administrative use; it shall not be used as evidence without proper confirmation in open court.

It is pathetic to observe that while all civilised nations, including Japan, have realised that a recognition of the fundamental rights of man essential to provide a defence to the citizen against the discretionary power of restraint on the part of the Government, for "power tends to corrupt and absolute power corrupts absolutely", India alone has struck a discordant note; India alone shows a tendency to go back to absolutism.

The outbreak of the Second World War strengthened the belief that the international recognition and protection of the rights of man was an essential requirement of international peace. That conviction was repeatedly given expression to in various Declarations on war aims, such as the Atlantic Charter of August 14, 1941, and the Four Freedoms message of President Roosevelt to Congress of January 6, 1941. The Charter of the United Nations indicates in numerous provisions the recognition of human rights in the international field. I refer you to the Preamble: "We the peoples of the United Nations, determined ... to re-affirm faith in fundamental human rights, in the dignity and worth of the human person, ...". The purposes of the United Nations are set out in Article I,

I humbly pray that the questions raised in this letter be considered by your Organisation.

Yours faithfully,
P.R. Das

Trygve Lie, Esqr.
Secretary-General of the United Nations
The United Nations Headquarters
Lake Success, U.S.A.

*Not included.

4. *From Brajeshwar Prasad to Vallabhbhai Patel*

8 Ferozeshah Road
New Delhi
14 February 1949

My dear Sardarji,

Probably Godse will not submit any petition for mercy. It will be befitting Gandhiji's memory to pardon this scoundrel along with the others who have been sentenced. They should be forcibly made to settle down in the Andamans as free men. I do not know how far my suggestion is practicable or logical.

Always at your service.

Yours sincerely,
Brajeshwar Prasad
M.C.A.

Sardar Vallabhbhai Patel.

5. *From Vallabhbhai Patel to Brajeshwar Prasad*

New Delhi
15 February 1949

Dear Friend,

Thank you for your letter of 14 February 1949 regarding the commutation of the sentence of Godse. I am sure you will appreciate that nobody knows better

than myself what Gandhiji would expect me to do in the matter. You can, therefore, leave the matter at that.

Yours sincerely,
Vallabhbhai Patel

Shri Brajeshwar Prasad, M.C.A.
8 Ferozeshah Road
New Delhi.

6. *From J.J. Singh to the Editor, the New York Times**

James H. Mysbergh's letter, which appeared in your paper of February 27th, deserves careful consideration at the hands of all those who are interested in putting a halt to the ever-increasing influence of the Communists in South East Asia.

Mr. Mysbergh rightly states that the Dutch military action in Indonesia "has led to a new and critically important phase" in the relationship between the United States and the South East Asian countries, and "today these countries—particularly in view of current events in China—are faced with a choice of political kinship to communism or western democracy".

On the basis of these and other cogent reasons mentioned in his letter, Mr. Mysbergh suggests that, before it is too late, the South East Asia League should be formed, perhaps with the cooperation and help of the governments of those countries. It is further suggested that this League should have "a regional production pool" which will initiate "collective bargaining for the disposition of raw materials on the world market and command power as a strong voice in the United Nations".

This is excellent. But there is something that the people of the United States can do, too.

I suggest that a South East Asia League of America should be formed in the United States. This League should consist of all progressive and liberal elements who desire, not merely to have a negative approach of being just anti-Communist, but to have a dynamic and positive approach of encouraging and standing by democratic forces in the whole of South East Asia.

The objects of this League should be, roughly:

- (a) To help foster and encourage a Non-Communist-Left (NCL) movement in the whole of South East Asia.
- (b) To keep the American public informed of political and other developments in these areas through all media of information.

- (c) To impress upon the United States Government and the Governments of Western European countries that if it is important to create a North Atlantic Pact as a bulwark against the spread of Communism, then it is equally important to create a Non-Communist-Left movement as a bulwark against Communism in South East Asia.
- (d) To request the American Government and far-seeing American businessmen to give economic and technical aid for the rehabilitation and industrialization of these countries.
- (e) To sound a clarion call that the American people will give moral and economic support to all governments and parties in South East Asia who will fight against totalitarianism—both of the Right and of the Left.

It is needless to mention that the whole world is looking towards America. Even those who criticize America pay heed to what America has to say.

I have stated above that the South East Asia League of America should foster a Non-Communist-Left movement in South East Asia. That is most important. Ideologies have to be fought with ideologies. Ideologies cannot be stopped by guns, but by better ideologies. Among the starving millions of South East Asia, only Leftist slogans and Leftist programs can counteract Communist slogans and Communist programs. A Non-Communist-Left movement is the only weapon which will go to the roots of the Communist evil.

A forthright declaration of the American people that they will support such a movement will help those who are undecided and are wavering.

Practically every country in South East Asia has democratic leaders—some in the Government, some outside of the Government—who are being opposed by totalitarian elements, both of the Right and of the Left. It is these leaders who should be supported and backed by the American people.

The very first thing that the proposed South East Asia League of America would have to do would be to insist upon a settlement in Indonesia, on a democratic basis. American opinion would have no weight or prestige in Indonesia, or for that matter in any other part of South East Asia, if the peoples of those countries were to come to the conclusion that America is siding with European nations which are still pursuing much hated imperialist policies. These peoples of South East Asia would shy away from the United States and would inevitably fall into the lap of the Communists. No amount of warning against the dangers of Communism would then avail.

To the Indonesians, there is no greater evil than that of the Dutch rule. It was precisely the same with us in India. All evils and ills were connected, in our minds, with British rule. We were willing to take on the new-comers and face, perhaps, a worse fate, but we could not be deterred from our desire to get rid of British rule. The Indonesians and all colonial peoples feel the same way.

To expect that the non-self-governing peoples of South East Asia can be won by a negative approach is to deceive ourselves. However, they can be won by a positive approach. They can be won by the American people shouting, without

restraint and fear, that it is the birthright of all South East Asian peoples to be free.

I am not against the proposed North Atlantic Defense Alliance. I think it is a move in the right direction. But if for the sake of this Alliance the imperialist nations of Europe have to be appeased at the cost of freedom, prosperity, and happiness of the peoples of South East Asia, then history will record the fact that the United States backed the wrong horse.

The United States has a splendid opportunity of taking the moral leadership at this crucial period in human history. I hope it does not miss the boat.

J.J. Singh
President, India League of America

*The letter, dated New York, 2 March 1949, appeared in the *New York Times* of Sunday, 13 March 1949.

7. From Jawaharlal Nehru to P.R. Das

PERSONAL

No. 286-P.M.

New Delhi
March 5, 1949

My dear Das,

Your letter of the 11th February with its enclosure was only placed before me day before yesterday. I am sorry for this delay. I have been partly out of Delhi. I have read your letter and your memorandum to Trygve Lie, Secretary-General of the United Nations. I confess, I feel exceedingly surprised. I am writing to you only briefly now and intend writing at greater length a little later. But the idea of any Indian addressing the Secretary-General of the United Nations in regard to our domestic affairs is definitely odd. It means appealing to foreign Powers to interfere in our internal arrangements. Apart from this being outside the scope of the United Nations, this raises rather important questions as to what a citizen of India should do and how far it is right for him to go outside India to seek foreign support against his own Government.

You refer to the liberty of the Press having been put an end to and you mention an Order passed by the Bengal Government on *Saturday Mail*. I am not acquainted with the *Saturday Mail* and do not know what this Order is. I shall enquire. I do know, however, that a number of periodicals associated on the one hand with the Communist Party and on the other with the Hindu Mahasabha and R.S.S. movements have been writing stuff of the most virulent and abusive kind and Government have tolerated them because of their desire not to interfere with the Press as far as possible. I am not sure how the West Bengal Government

functions in this respect, but generally speaking we have encouraged the formation of Press Advisory Committees consisting of representatives of the local Press, and it is only on the advice of these Committees that Government takes any action.

I have fairly considerable experience of the Press of various countries and I do not remember seeing anything quite so virulent and vulgar as has been appearing in some of these periodicals in India. There have been open or indirect incitements to violence and praise of those who have committed violence and murder. It is not my conception of civil liberty or of the freedom of the Press to permit these incitements to violence. Indeed, this degrades the whole Press and brings it into disrepute apart from other undesirable consequences.

Presumably, you are concerned with the action taken against the R.S.S. organisation. This organisation, according to a mass of evidence in our possession, has been working for violent upheavals and for individual violence. Action is taken against them because of an open defiance of authority. The freedom of the individual must be respected, but when that freedom is construed as being a right to interfere with other people's freedom, then it is a different matter.

Yours sincerely,
Jawaharlal Nehru

Shri P.R. Das
Shantiniketan
Fraser Road, Patna (Bihar).

8. *From Jairamdas Doulatram to Members of the Constituent Assembly of India.*

No. C.1316/49-PAM

1 York Place
New Delhi
The 7th March 1949

My dear Friend,

I happened to refer to the enclosed cutting from the 'American Newsfile—Agriculture Supplement' (issued by the United States Information Service, 3 Queens Road, Bombay), when discussing the question of food production with some of the Members of our Legislature. It was suggested to me that the extract should be sent to all Members of the Legislature for their information. I am therefore sending you a copy of it. I may also add that Mr. Dodd, the Secretary-General of the Food and Agriculture Organisation, during his informal talks on the occasion of his recent visit to Delhi, also emphasised the need of an Extension Service if food production was to be speeded up in India. He said that they were

able to achieve substantial progress in the U.S.A. in regard to agricultural production only when through such an Extension Service they placed technical guidance and help at the disposal of individual farmers by direct personal contact. The question of setting up a similar Extension Service in India is being examined.

Yours sincerely,
Jairamdas Doulatram
Minister for Food & Agriculture

Members of the Constituent Assembly of India.

Enclosure:

(Cutting from 'American Newsfile—Agriculture Supplement' dated 16 February 1949)

U.S. AGRICULTURAL EXTENSION SERVICE

WASHINGTON, Feb. 16. Four out of five of the 6,500,000 farm families in the United States received help in farming and homemaking from the Cooperative Agricultural Extension Service of the U.S. Department of Agriculture during 1947. This is noted in the Extension Service's recent report for the fiscal year 1948.

County agents of the Extension Service, during 1947, visited one out of every three farms in the United States. More than 8,750,000 persons came to the agents' offices for information and advice. The agents arranged more than 11,000 tours during which more than 500,000 persons saw better farming and homemaking practices demonstrated. The Service also carried on its educational work through meetings, publications, news stories, radio talks and exhibits.

Large number employed throughout U.S. The Extension Service employs 12,800 county workers who deal directly with rural people in 48 States, Alaska, Hawaii and Puerto Rico. They include 4,843 county agricultural agents and assistants, working with the farmers and supervising extension work within their respective counties. There are 3,318 home demonstration agents and assistants who work with urban as well as farm women interested in better home practices. A total of 656 agents work exclusively with the 1,730,000 boys and girls in the 80,286 4-H (Head, Heart, Hands and Health) Clubs organised throughout the rural areas. County staffs also include office clerks. In addition, the Service has specialists and supervisors in each state agricultural college and at the Federal Extension Office in the U.S. Department of Agriculture at Washington.

The work of the Extension Service is supplemented by the efforts of nearly 1,000,000 rural men, women, and older boys and girls who serve as volunteer local leaders. These local leaders receive no pay for this service. They help their neighbours apply the benefits of science to rural living.

How service helps farmers. The Extension Service helps farmers to improve

crop yields, to handle economic problems, to conserve natural resources, to get electricity, to market their products efficiently, to develop better livestock and poultry, to combat insects and livestock and plant diseases, and to improve their home and community facilities. It also helps rural youth through the 4-H program.

M.L. Wilson, Extension Service Director, says: "Extension's job is to carry the full weight of science to the farm. Not only to carry it there, but to help the people apply it to field, home, and market place. This is education in its full practical sense."

A cooperative project. Extension Service is a cooperative project of the U.S. Agriculture Department, State colleges, county and local governments, and local organisations. Of the total cost of the work, about 52 per cent comes from the Federal Government and the rest from State and local groups.

The Service helped improve 3,830,055 farms and 3,069,776 farm homes during 1947. Many representatives of other countries have visited the United States to study extension methods, and representatives of the Service have visited other countries to advise on agricultural extension programs. Countries visited include Saudi Arabia, Greece, Peru, El Salvador, Ecuador, Burma and Korea.—U.S.I.S.

9. *From N.L. Das Gupta to the Private Secretary to Dr. Rajendra Prasad*

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. 49GP46

New Delhi
30th March 1949

Dear Sir,

Your letter dated 25th March 1949.

Two card passes for the use of Dr. Rajendra Prasad and yourself are sent herewith.

The passes have been issued in favour of 'an officer of the Gandhi Smarak Nidhi' (and not by name) as suggested by Mr. P.B. Chandwani, Office Secretary, Gandhi National Memorial Fund. Kindly acknowledge receipt of the passes.

Yours faithfully,
N.L. Das Gupta
for Secretary, Railway Board

The Private Secretary to Dr. Rajendra Prasad
Sadakat Ashram, Patna.

10. *From Baron Allard to Gandhi Memorial Fund*

STOP-WAR

16 Grand' Place
Bruxelles
2 April 1949

(a l'attention de Dr. Rajendra Prasad)

Dear Sirs,

As you may well know, Romain Rolland did a lot to spread the Mahatma's ideal in our countries. We, at Stop-War, are continuing his work; we are sure that Europe, and the world can only be saved through non-violence.

Rolland writes: "Accustomed as an historian, to observe the great tides of the spirit, I can describe this one that has risen from the East: it will not retire until it has spread all over the shores of Europe." Gandhi's achievement is not only of great value to India, but to all the human race.

We are sending you in French some of our literature; the Stop-War movement is affiliated to the World Federalists; it is non-political, and stresses the importance of technical achievements to be used for the good, not for the ruin, of humanity. The best man in our movement is Professor Pierre Girard, Director of the Chemico-Physic Institute of Biology. The movement in France is called: "Service de l'Homme."

Please answer this letter and help us to spread the spirit of Gandhi in the whole world. Photos, films, papers, books on the subject, also in English, would be of great value to us.

Madame Guieysse, sister-in-law of Romain Rolland, is helping us full time. Henry Osborne of "The Peoples World Constituency" is working for the same cause, and is a personal friend.

We thank you for what you will be kind enough to do for the cause of Peace and in this hope of further contact and collaboration, we are,

Yours sincerely,
Baron Allard

Gandhi Memorial Fund
Town Hall, Bombay 1.

11. *From Chakradhar Sharan to the Secretary, Railway Board*

Camp: Muzaffarpur (Bihar)
The 3rd April 1949

Dear Sir,

Many thanks for your Registered Air Mail letter number 49GP46 dated the

30th March 1949 enclosing the two passes issued in favour of "An Officer of the Gandhi National Memorial Fund" and not in favour of Doctor Rajendra Prasad and his Private Secretary as requested by me in my letter. I am herewith returning the two passes back to you and I shall be obliged for your kindly issuing them in favour of persons mentioned in my letter dated 25th March. We are coming to Delhi on the 5th April and will again leave for Cawnpore the same night and will again return there on the 9th before leaving for South India. You will please arrange to get the two passes delivered to the Private Secretary to Dr. Rajendra Prasad at 1 Queen Victoria Road, New Delhi, on either of the two dates, preferably on the 5th.

Yours faithfully,

Chakradhar Sharan

Private Secy. to Dr. Rajendra Prasad

The Secretary, Railway Board
New Delhi.

12. *From Ramdas M. Gandhi to C. Rajagopalachari*

Nagpur

1 May 1949

My dear Rajaji,

I do not know what Panditji, Vallabhbhai and yourself have decided to do with Godse. I trust and wish you are not one of those who want to see him sent to the gallows. I see no point in making him a martyr! You know much better than myself that with the exception of a few only the rest of the Hindus in India or elsewhere as far as the Muslims of India or/and Pakistan go, one and all is R.S.S.-minded. So as it is not one Godse the [assassin] of Bapu that is to be dealt with but millions of Godses.

Therefore what I would wish done is that Godse and if necessary his close associates be sent to a penitentiary to find out for themselves and ponder and think over if in any way they have achieved this end in view and decide once for all that Hinduism or India cannot be and will never be saved by pursuing R.S.S. methods. If there is no such penitentiary anywhere outside India one must be established in India putting in charge the most fitted for this high post and place under him Godse and his close associates.

Instead if Godse is sent to the gallows, you know Bapu, wherever he may be, will feel deeply hurt; the same will be the condition of known and unknown associates of Bapu who each in his humble way has incessantly, for long enough, tried to live and do as Bapu so very aptly felt and wanted each one to live and die in the attempt if the occasion demanded.

No doubt you will place this before Panditji [and] Vallabhbhai for their due consideration and convey to me their and your own views and also what is finally

decided by the three of you. As a matter of course you will speak this to Devadas. Therefore, I am not sending him a copy of this.

I hope and wish that you are well and fit in every sense.

With kindest regards and pranams,

Yours childlike,
Ramdas

Shri C. Rajagopalachari.

13. *From Chakradhar Sharan to Rafi Ahmed Kidwai*

1 Queen Victoria Road
New Delhi
May 18, 1949

My dear Sir,

Shri Lakshmi Das Ashar, who has been appointed Secretary of the Gandhi Smarak Nidhi (Gandhi National Memorial Fund) Trust and is staying at 1 Queen Victoria Road, has to return to Ahmedabad with his wife on the morning of the 20th by plane. I had telephoned to Messrs. Air India and Messrs. Govan Brothers for two tickets. They have given me to understand that only one seat is available and for the other I have to arrange for the Government Priority. As Syt. Lakshmi Das Ashar is not an officer of the Government of India, I doubt if the Director-General of Civil Aviation can issue a Priority ticket in his favour. As Syt. Ashar and his wife have to return to Ahmedabad urgently I shall deem it a great favour for your kindly instructing the office for issuing a Priority ticket in his favour.

Hoping to be excused for the trouble and with kind regards, I am,

Yours faithfully,
Chakradhar Sharan
Private Secy. to Dr. Rajendra Prasad

The Hon'ble Shri Rafi Ahmed Kidwai.

14. *From Syama Prasad Mookerjee to Dr. J.C. Kumarappa*

19th May 1949

Déar Dr. Kumarappa,

May I refer to our personal discussion that we had day before yesterday regarding the Cottage Industries Board? I have been most anxious that you

should join this Board and give us the benefit of your help and advice. The Board, as you are aware, is an Advisory Body. But any member on it has full freedom to express his viewpoint and try to influence his colleagues regarding the steps to be taken for the development of cottage industries in India. It is the policy of the Government of India to do everything possible to see that cottage industries develop in this country as speedily as possible. There need be no conflict between large-scale industries and cottage industries. We should try to have an integrated policy which may lead to the betterment of the masses of the people. I hope it will be possible for you to accept the membership of the Board

I would suggest that we may have a general discussion on the subject on 25th May. I shall be glad if you will kindly inform my Private Secretary what time would suit you best.

Yours sincerely,
Syama Prasad Mookerjee

15. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
26 May 1949

My dear Vallabhbhai,

Please see the enclosed curious letter from a member of the P.C.C. of Rajasthan (Jaipur). Whether Mr. Hiralal Shastri* is a bad man as described in the letter or not, and whatever the motive of the writer of the letter may be, it does not seem to be desirable that the "Sarvapratham Rashtrapathi" 's place should become the subject matter of title-page propaganda. If it is true that the *Lokvani* belongs to one of Mr. Shastri's group, perhaps he may be told that this picture is objectionable so that he may not repeat such stuff.

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

*General Secretary, All India States People's Conference; Member, Constituent Assembly; Chief Minister, Jaipur State, and then of Rajasthan State.

Enclosure:

Bhinda Ka Rasta
Jaipur City
24 May 1949

Mahamahim Rajaji,

The *Lokvani* weekly has published two blocks side by side (Shri Chakravarti

Rajagopalachari or Dr. Prasad) on the title page in the recent issue of 22 May 1949. This paper belongs to Mr. Hiralal Shastri's group. The very publication of the relative blocks shows that propaganda and canvassing against Your Excellency in favour of Dr. Prasad has been started by Mr. Shastri's group in Rajputana.

I have no ill-feeling towards Dr. Prasad as he is an unquestioned personality of India, but by sending this cutting I simply mean to bring the particular activity of Mr. Shastri's group in Rajputana to your notice.

I may also mention that in a workers' meeting Mr. Shastri mentioned openly that Rajaji had tried his best to put hindrance in the formation of Greater Rajasthan but he had to fail ultimately. This can be proved if ever required.

Yours sincerely,
Narain Chaturvedi
Member of P.C.C., Jaipur (Rajasthan)

16. *From Nathuram V. Godse to Ramdas M. Gandhi*

Simla
3 June 1949

Dear Brother, Shri Ramdas M. Gandhi,

Received your most kind letter yesterday of 17 May 1949.

As a human being I have no words to express my feelings for the wounds that you and your relatives must have received by the tragic end of your revered father, by my hands. But at the same time I state that there is the other side also to look at.

I am not in a position to write all my thoughts on paper—nor am I in a position to see you personally. But certainly you are in a position to see me in jail before my execution.

You say that you have heard that I am a man of 'reason' and 'logic'. True! But you will be surprised to note that I am a man of powerful sentiments also and "devotion to my Motherland is the topmost one of the same".

You say that "once my mind is free from misunderstanding then no doubt that I shall repent and realise my blunder". Brother, I say that I am an open-minded man, always a subject for correction. But what is the way to remove my misunderstandings, if any, and to make me repent?

Certainly neither the gallows nor any big show of mercy and to commute my punishment. The only way is to see me and make me realise. Up till now, I have come across nothing which will make me repent.

I have received several letters from some prominent 'Christian Missions', and

according to their faith and the teaching of the 'Holy Bible', they have tried to give me some message. Their stand is quite intelligible. But yours is the first letter that I have received which resembles to some extent to the well-known, or more known teachings of your revered father. Really this is surprising! I have received many letters full of abuses. I do not consider they were written by any disciple of your father.

Anyway, I must humbly request you to see me and, if possible, with some prominent disciple of your revered father, particularly who is not interested in any power politics, and to bring to my notice my most fatal mistake.

Otherwise, I shall always feel that this show of mercy is nothing but an eye-wash.

If you actually see me and have a talk with me, either sentimentally or on reason, who knows you may be able to change me and make me repent or I may change you and make you realise my stand.

The condition of the talks must be that we must stick to the "truth alone"

Again, I express my utmost regrets as a human being for your sufferings due to the death of your revered father by my hands.

Yours sincerely,
Nathuram V. Godse

N.B. If you prefer, then please send a copy of this to H.E. the Governor-General of the Dominion of India.

17. From Vallabhbhai Patel to C. Rajagopalachari

Dehra Dun
6 June 1949

My dear Rajaji,

Please refer to your personal letter of 26 May 1949.

Hiralal Shastri has written to me explaining that the Editor of the *Lokvani* in posing the question took the idea from *The Statesman* of 5 May 1949. There was no intention whatsoever to raise any controversy, nor did he desire to give a hint that there was any sort of competition.

Hiralal also denies that he ever made the statement that you had tried to put hindrance in the formation of Greater Rajasthan.

Yours sincerely,
Vallabhbhai Patel

His Excellency Shri C. Rajagopalachari
New Delhi.

18. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
6 June 1949

My dear Vallabhbhai,

It is a hopeless affair to try to control the *Blitz*, but this cutting seems to be too bad to be ignored. I have already sent you a cutting from a Jaipur periodical, sent to me by a Jaipur politician with his comments. This comes on the top of it.

Perhaps in spite of what I have written above, this may be ignored.

Do you think we could induce Rajen Babu to do something to prevent this kind of gossip?

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
Dehra Dun.

P.S. The taproot of *Blitz*'s politics is seen in the second cutting enclosed, taken from the same issue (dated 4 June 1949).

C.R.

Enclosure 1:

(A cutting from the *Blitz*, dated 4 June 1949)

Even before constitution-making is complete, informal private canvassing has already begun among the Constituent Assembly members regarding the choice of the provisional President of India, who will have to be installed as soon as the new Constitution is adopted and India declared a Republic. Members from the South, some of whom are anxious to keep Rajaji away from Madras politics, are canvassing in his favour while a large number of members from the North, who dislike C.R. for being too clever and crafty for an average Congressman, prefer Dr. Rajendra Prasad. Rajaji's supporters argue Rajendra Prasad [is] physically unfit for a strenuous job of this nature, while the other camp is raking up the past to damn C.R. as the man who paved the way for Pakistan. This argument is, no doubt, an exploded bomb, which will no longer carry any weight.

The two groups are, however, planning in a big way to mobilise public opinion indirectly, without coming out in the open, by enrolling Press support in favour of their respective mascot. Much will, of course, depend on how Pandit Nehru and Sardar Patel will react. For the present at least the Big Two are in favour of C.R.

A cold and calculating politician, Rajaji is, in the meantime, quietly consolidating his position. While pretending that he has only four trunks to

pack to quit Government House, he is nevertheless spreading his roots all over the place. An analysis of the Court Circulars, for instance, will reveal the shrewd and subtle strategy he is employing to spread his net.

Enclosure 2:

(A second cutting from the *Blitz*, dated 4 June 1949)

In a message to the tenth session of the Grand Lodge of Mysore and Hyderabad of the International Order of Good Templars held at Secunderabad recently, G.G. [Governor-General] Rajaji has extolled the wisdom of the East in prohibiting alcoholic drinks and, after proudly stating that the West is trying to copy the East, bursts into this pathos:

There is a tendency among the governing classes and officials to indulge in spirituous drinks and to introduce them in spheres where they had no legitimate place before. I am very grieved at this growing tendency.

We quite sympathize with Rajaji for being constrained to make an observation which is, to say the least, damaging to the ruling classes who are supposed to be following Gandhian ideals, chiefly Prohibition, in the Ram Raj they have set up. We sympathize also with these latter folk, well meaning but impracticable faddists. Will Rajaji even now recognize the limitations of human nature and give a directive to the secondary powers in the provinces not to pursue what has proved to be a will-o'-the-wisp?

19. *From C. Rajagopalachari to Vallabhbhai Patel*

New Delhi
7 June 1949

My dear Vallabhbhai,

Thank you for all the trouble you took over the matter of *Lokvani* and Hiralal Shastri. Your letter of 6 June on the subject has crossed my letter enclosing some cuttings from *Blitz*. It seems as if one cannot have peace as long as one lives. Who wants this Governor-Generalship or Presidentship or Deputy Premiership or anything else? It will not do to be depressed. Otherwise there is plenty of cause for being thoroughly disgusted with our semi-educated folk. If we do not add religious education of some kind to what our boys and girls go through in schools and colleges, we shall go worse and worse.

I am glad you decided not to undertake to go to Trivandrum.

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
Dehra Dun.

20. *From Rajkumar to Chakradhar Sharan*

INDIAN NATIONAL CONGRESS
(FOREIGN DEPARTMENT)

7 Jantar Mantar Road
New Delhi
7 June 1949

My dear Chakradhar Babu,

I have your letter. The Conference about which Dr. Dadoo spoke to Rajen Babu is the Natal Provincial Conference to be held on June 24 under the auspices of the Natal Indian Congress. I am enclosing herewith a draft message which, if approved, may be sent by airmail to:

The General Secretary
Natal Indian Congress
P.O. Box 2299
Durban, S. Africa

By the way, you say Dr. Dadoo has left for South Africa. My information is that he has gone to Kashmir.

With best regards,

Yours sincerely,
Rajkumar

Shri Chakradhar Sharan
1 Queen Victoria Road
New Delhi.

Enclosure:

(Draft Message)

It is now evident that South Africa's policy of racial discrimination is basically responsible for the recent riots in Durban. The fascist doctrine of race hatred which the Malan Government openly professes is likely to embitter further the relations between the different races inhabiting South Africa. The Indian community therefore should be on guard lest conflict with the native population should strengthen the hands of the European reactionaries. It is clear by now that only a united stand by the coloured population in South Africa can foil Malan's game. I hope that the Natal Provincial Conference meeting on June 24 would pay due attention to this unity between the Indians and the natives. I send my best wishes for the success of your conference.

Rajendra Prasad

21. *From Vallabhbhai Patel to C. Rajagopalachari*Dehra Dun
9 June 1949

My dear Rajaji,

Thank you for your letter of 6 June 1949.

With our notions of civil liberties and freedom of the Press and many impediments in the way of corrective action, I am afraid it is impossible to reform *Blitz*. However, I have had it conveyed to Rajen Babu that he might issue some sort of statement. I hope he will agree.

Yours sincerely,
Vallabhbhai PatelHis Excellency Shri C. Rajagopalachari
Governor-General of India, New Delhi.22. *From Ramdas M. Gandhi to Jawaharlal Nehru*Khalasi Lines
Nagpur (C.P.)
13 June 1949

My dear Jawaharlalji,

As stated in my letter addressed to you, dated 11 June 1949, I now enclose herewith copy of a letter dated 13 June 1949, addressed by me to Godse, in reply to his letter dated 3 June 1949* and received by me on 9 June 1949.

You will notice that in place of Vinoba Bhave, in my letter dated 13th inst. to Godse, I have mentioned the name of Shri Kishorlal Mashruwala. I feel that this change of name was necessary as Kishorlalbhai is definitely in a better position to bring about a desired change in the outlook and wrong policy that has been pursued by Godse.

You know that Kishorlalbhai, physically, is in no condition to stand the strain of a long journey. As such I feel that our meeting with Godse should take place in Delhi in the Red Fort. I exactly do not know, but I feel that no difficulty should be experienced by all concerned in bringing Godse from Simla to Delhi and lodge him in the Red Fort.

I am now awaiting to hear from you as soon as it may be possible for you to inform me whether the proposed meeting with Godse will be arranged.

With kindest regards,

Yours sincerely,
R.M. GandhiPandit Jawaharlal Nehru
New Delhi.

*See Nathuram V. Godse's letter to Ramdas M. Gandhi, dated 3 June 1949.

Enclosure:

(Copy of letter from R.M. Gandhi to Nathu Ram Godse)

Khalasi Lines
Nagpur
13 June 1949

Dear Shri Nathuram Godse,

I have your letter dated 3 June 1949.

I am glad to see that you are always open to conviction, and your desire to have a heart-to-heart talk with me and a close associate of my father on the question whether ways and means adopted by you have in any way served or are likely to ever prove fruitful in the future in maintaining the integrity of our dear Motherland or the centuries-old Hindu religion, which, like all other present-day religions, is free of distinction of any kind, is encouraging.

Accordingly, without any commitment on the part of the government of the Indian Dominion, myself or those who accompany me, to have a talk with you, I am requesting Pandit Jawaharlal Nehru today to allow Shri Vinoba Bhave, Shri Kishorlal Mashruwala and myself to have a heart-to-heart talk with you on the above subject, as it is your heart's desire to do so.

Please note, however, if it is destined that the proposed talk should take place, it will be only some day after 25 June 1949, as it is not possible for me to leave Nagpur for Delhi and thence to the place wherever you are lodged, before 25 June 1949.

I feel you need not have stipulated the condition, namely, "condition of the talks must be that we must stick to the truth alone", as I think it was not only unnecessary in my case, but also in the case of any close associate of my father.

In the meanwhile, I would suggest your devoting all time that is available to you to self-introspection and with full confidence in "Him" and pray that "He" bestows on you "this Divine Grace", as it is such grace alone that I feel will help you to see your mistake and realise that it was after all Gandhiji who knew best that the interests of our Motherland, and the Hindu religion in particular, could be protected from insult or injury. If you do this, I am sure, at the end of the proposed meeting between you and us, you will be able to sing with us the undernoted shloka in the 18th chapter of Bhagwat Gita, a piece of poetry full of meaning and charm.

नष्टो मोहः स्मृतिर्लब्धा त्वत्प्रसादान्मयाच्युत।
स्थितोऽस्मि गतसंदेहः करिष्ये वचनं तव ॥ ७३ ॥

Yours sincerely,
R.M. Gandhi

23. *From Jawaharlal Nehru to Vallabhbhai Patel*

New Delhi
13 June 1949

My dear Vallabhbhai,

You must have received Ramdas Gandhi's letter with its enclosures.* I enclose a copy of my reply to him.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

*See Ramdas M. Gandhi's letter to Jawaharlal Nehru, dated 13 June 1949.

Enclosure:

(Copy of Jawaharlal Nehru's letter to Ramdas M. Gandhi)

New Delhi
13 June 1949

My dear Ramdas,

I have just received your letter. I confess that you have put me in a difficulty. My own inclination is to advise you not to visit Nathuram Godse. I do not think this visit at this stage can serve any useful purpose. But in this matter I should like to be guided by what Shri Rajagopalachari and Sardar Patel may advise. I am therefore writing to them on this subject. You have sent the copies of letters to them already.

Yours sincerely,
Jawaharlal Nehru

Shri Ramdas M. Gandhi
Khalasi Lines, Nagpur.

24. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
13 June 1949

My dear Vallabhbhai,

I hope you have improved in health. I note that Kishorlalbhai has gone there. It seems Ramdas is excited and is not able to restrain his anxiety to talk to

condemned prisoners and convert them to the creed of non-violence and repentance! What Bapu himself was not able to do and to which he was sacrificed like a lamb led to the altar! I am surprised.

Not only are some of our friends desirous of saving Godse for future generations but there is a regular campaign. I can see among certain hypocritical organs of the Press somehow to get the death sentence abolished in time for this purpose.

It seems as if the benefit of rash reforms must go to the man who has done the wickedest act of modern times and murdered India herself before we give the benefit of it to others. The man is seeking the intervention of likely people for this very purpose in a subtle manner, I have no doubt. His unrepentant and blustering pose in court on one side and soft letters to Sevagram and the sons of his victim go ill together.

Yours sincerely,
C. Rajagopalachari

25. *From S. Krishnamurti to V. Shankar*

Government House
New Delhi
14 June 1949

Dear Shri Shankar,

This is what His Excellency has written to Shri Ramdas Gandhi. Kindly place it before the Honourable Deputy Prime Minister.

Thanking you,

Yours sincerely,
S. Krishnamurti

Shri V. Shankar, I.C.S.

Private Secy. to the Hon'ble Dy. Prime Minister
Dehra Dun.

Enclosure:

Government House
New Delhi
14 June 1949

I would advise you to leave the case of Godse in the hands of Government. My emphatic advice to you is not to intervene in the case. I agree with Jawaharlalji

that you should not visit the prisoner.

C. Rajagopalachari

Shri Ramdas Gandhi
Khalasi Lines, Nagpur.

26. From Vallabhbhai Patel to Jawaharlal Nehru

Dehra Dun
16 June 1949

My dear Jawaharlal,

Thank you for your letter dated 13 June 1949.

2. I have not yet received Ramdas Gandhi's letter. I have, however, received Rajaji's reply. I entirely agree with him that he should not visit Godse and that he had better leave matters in the hands of those whose business it is to deal with them.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi.

27. From Vallabhbhai Patel to Jawaharlal Nehru

Camp: Dehra Dun
16 June 1949

My dear Jawaharlal,

I have now received the correspondence which has passed between Ramdas and Godse as also a copy of his letter to you. I adhere to my previous view that he should not see Godse. As it is, there is every likelihood of an attempt being made to treat him as a martyr. The discussion which Ramdas proposes to have would invest the last days of Godse with a certain amount of glory. To me, it appears somewhat quixotic that any attempt should be made to convince a man who has done such a dastardly crime and takes pride in it. Ramdas is not equal to him at all.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi.



Dr. Rajendra Prasad with Jagjivan Ram



Dr. Rajendra Prasad with G.V. Mavalankar (Speaker, Provisional Parliament) and M.N. Kaul
(Secy. to Provisional Parliament)

28. *From Nathuram V. Godse to Ramdas M. Gandhi*

Central Jail
Ambala
24 June 1949

Dear Shri Ramdas Gandhi,

Received yours of the 13th instant on 23 June and noted the contents.

I am glad that you have responded to my request; you may come at any time which will be convenient to you. You can see me even one day before my execution. I am not impatient about the visit. Even your willingness to see me has given me a sort of satisfaction. It does not matter even if you do not see me at all due to some other difficulties, but [that] mentally you are prepared to see me is enough for me to be convinced about your sincerity of cause.

My pressing request is to try to have this interview.

I agree that I need not have stipulated the condition about "sticking to the truth alone". Believe me I did not mean any offence while writing the same. But there were two main reasons behind my mind. One is that I have come across numerous so-called followers of the creed of truth who actually in practice have no regard for the same. I have seen some in the witness-box speaking a perverted truth on oath.

And the second reason is that in the course of our conversation perhaps I shall have to speak some bitter truth. At least which so far as I believe is truth and a bitter one.

Anyway I am assured by your letter that I need not fear to speak frankly with you.

Thanks for reminding me [of] the beautiful shloka from Bhagwat Gita—
नष्टो मोहः स्मृतिर्लब्धा. To me not only this shloka but the whole of the Gita is an invaluable piece of poetry full of meaning and charm.

After the expression of Arjun करिष्ये वचनं तव Arjun actually did it as Shri Krishna told him मामनुस्मर युध्य च.

If possible you can enquire through Shri Vinobaji Bhave, who belongs to Maharashtra by birth, or through somebody else about my general character and behaviour up to my arrest. Perhaps that will be useful for you to know the background of the person who committed a very cruel crime.

Nothing more for the present.

Yours sincerely,
Nathuram V. Godse

29. *From N.V. Gadgil to Vallabhbhai Patel*

The Retreat
Simla
26 June 1949

My dear Vallabhbhai,

I am sending herewith an extract from the judgment of Hon'ble Justice

Bhandari. This relates to the observations made by the Special Judge who tried the case and in which he stated that the tragedy could have been prevented. I am also enclosing an extract from the judgment of Justice Achru Ram. Justice Bhandari has dealt with this aspect thoroughly and not only in a negative way as has apparently been done by Justice Achru Ram. This is all to the good in view of the criticism that was levelled against the Government of India and in particular against you by the Socialists maliciously and by some of our friends foolishly.

I am returning to Delhi on the 30th.

With kindest regards,

Yours sincerely,
N.V. Gadgil

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

Enclosure 1:

(An extract from the judgment of Hon'ble Mr. Justice Bhandari dated 21 June 1949 in the Gandhi Murder Case)

Towards the conclusion of his judgment the learned Special Judge has made certain observations which appear to indicate that if the police had been more vigilant in the discharge of their duties the tragedy which overtook Mahatma Gandhi on 30 January may well have been averted. Mr. Daphtary contends that these observations are not warranted by the evidence on the record.

It is a fundamental legal principle that no one is to be condemned unless he has had an opportunity of being heard. Not a single question was put to any of the police officers with the object of ascertaining whether it was possible for them to save the life of Mahatma Gandhi and if so why the appropriate measures were not taken in this behalf. Had the question been put and had an unsatisfactory answer been returned the learned Special Judge would have been fully justified in making the observations that he made. That question was not put. The result therefore is that we are travelling in the realm of conjecture, because there is no proper evidence on the file on the basis of which it is possible to say with any degree of confidence whether the police were or were not negligent in the discharge of their duties.

Even on merits it seems to me that the remarks are not justified. It is common ground that the very first occasion on which the authorities came to know about this particular conspiracy was at about 4 o'clock on the afternoon of 20 January when Dr. Jain met Mr. Kher and Mr. Morarji Desai by appointment at the Civil Secretariat at Bombay. He told them that Madanlal, who was responsible for the explosion of 20 January, was a refugee from the Punjab whom Dr. Jain had endeavoured to help; that before leaving for Delhi Madanlal had discussions with him; that Madanlal had told him that he (Madanlal) and his friends had

decided to take the life of a great leader whose name he later stated to be Mahatma Gandhi that Dr. Jain had tried to dissuade Madanlal from his wild talk and wild plan that Madanlal had introduced to Dr. Jain a person by the name of Karkare with whom Madanlal was working in Ahmednagar and who was on friendly terms with him that Madanlal had spoken about his exploits at Ahmednagar that Madan Lal had told him that Karkare had taken Madanlal to Savarkar that Savarkar had a long talk with him for about two hours and that Savarkar had praised him for what he had done, had putted him on the tank and had asked him to carry out that Madanlal had said that there was a dump of arms, ammunition and explosives at Ahmednagar and that Madanlal and his companions were to proceed to Delhi to carry out the objects of the conspiracy. Mr. Desai asked Dr. Jain as to why he did not tell him all about it immediately after he had come to know of it. Jain replied that refugees were in the habit of talking wildly and he believed that he had dissuaded Madanlal from doing what he had intended to do.

On receipt of this information Mr. Desai acted with commendable promptitude. He sent immediately for Mr. Nagwala, Officer in charge of the Intelligence Branch. Mr. Nagwala was unable to come at once as he was busy at the time and Mr. Desai accordingly asked him to see Mr. Desai at the railway station as he was leaving Bombay for Ahmedabad the same night. Mr. Nagwala came to the railway station at about 8-15 p.m. and Mr. Desai told him what Dr. Jain had said and asked him to take action in the matter. He asked Mr. Nagwala to arrest Karkare, to keep a close watch on Savarkar's house and his movements and to find out the names of the persons who were involved in the plot. Mr. Desai reached Ahmedabad on the morning of 21 January and repeated to Sardar Vallabhbhai Patel the story that had been narrated to him by Dr. Jain.

Mr. Nagwala complied with the instructions without loss of time. He organised an unobtrusive watch over the house of Savarkar from 5.30 p.m. that evening. He made arrangements for locating and arresting Karkare. He made enquiries from the Ahmednagar police with the object of ascertaining whether Karkare whose detention had been ordered under the Public Security Measures Act II of 15 days before had been arrested. He organised various informants of his to locate and apprehend Karkare and his associates. He also issued similar instructions to the various officials under him as he was giving topmost priority to this particular enquiry.

In the meantime enquiries were being made from Madanlal by the police at Delhi. He was interrogated by the police immediately after his arrest on the 21st, but the enquiries do not appear to have revealed any useful information except in regard to Karkare. On being questioned under section 54C of the Code of Criminal Procedure Madanlal stated as follows:

The police asked me the names of the co-workers of Badge who were putting up in the Marine Hotel. I told them that I did not know their names. I told them that Badge had told me that the co-workers were staying

in a corner room on the first floor of the Marina Hotel.

The police rushed to the Marina Hotel with the object of apprehending the conspirators. When they reached there they found that the birds had flown. Enquiries were made as to the persons who were occupying the corner room on the first floor but the only information that the management of the hotel could supply to the police was that two persons who had stayed under the names of M. Deshpande and S. Deshpande had settled their bills and had left the hotel immediately after the explosion in such haste they did not even care to take their clothes with them. The police then visited the room in the Hindu Mahasabha Bhawan which was said to have been occupied by Badge, Shankar, Madanlal and Gopal. This room was empty and deserted for Badge and Shankar had quit the place almost immediately after the explosion. And what about Karkare and Gopal? Enquiry was made at the Sharif Hotel but no information could be obtained as to the whereabouts of Mr. B.M. Bias who had stayed there from 17 to 19 January and who had left the hotel a day before the explosion. So far as can be judged even Madanlal did not know where his confederates had gone. Gopal was in Delhi but he too made himself scarce after the explosion. He did not dare go back to the Hindu Mahasabha office where he was staying the previous night, for he did not know that Madanlal would not denounce him to the authorities. Both Karkare and Gopal are said to have spent the night of the 20th in the Frontier Hindu Hotel under the assumed names of G.M. Joshi and Rajagopalam. On 21 January the position was that although the police were aware of the existence of a conspiracy to assassinate Mahatma Gandhi, the only conspirators who were known to them were Badge, Karkare and Madanlal. A Deputy Superintendent and an Inspector of Police left Delhi by air and reached Bombay on the 22nd. They desired the arrest of Karkare and his conspirators in connection with the bomb explosion. They stayed in Bombay till the 23rd and after their departure Mr. Nagarvala continued the search for Karkare and his associates, if any. Karkare was not known to the Bombay City Police. On certain information received by him he issued instructions for the arrest of Badge on or about 24 January. Mr. Rana, D.I.G., C.I.D., whose headquarters are in Poona, came to Bombay on 27 January and reported developments to him. On the same day Mr. Nagarvala had a telephonic conversation with the Director of Intelligence Bureau, Delhi, to whom also the developments had been reported. Unfortunately Badge could not be traced till the 31st, a day after the tragedy had been enacted at Birla House. The fatal shots were not fired either by Badge or by Karkare or by Madanlal and even if they had been arrested immediately after the explosion the tragedy could not be averted. The evidence on record does not show that the names of the other conspirators were known. If their names were not known the police could not very well put them under arrest.

The movements of Karkare, Badge and Shankar during the crucial period commencing with the 20th and ending with 30 January are not known. Karkare is said to have gone to the Frontier Hindu Hotel on 20 January, to have spent the

night of 20 January in that hotel and to have left that hotel on the 21st. He was seen at the house of Mr. G.M. Joshi at Thana (Bombay) on the 25th and at the railway station at Delhi on the 29th. He was not known to the Bombay police. He did not visit his regular haunts or, if he did, his haunts were not known to the Bombay police. Badge and Shankar could certainly have been arrested if they had gone back to Poona for they were well known to the police. Orders for the arrest of Badge were issued on or about the 24th and Mr. Rana came to see Mr. Nagarvala at Bombay on the 27th in connection with the arrest. It is impossible to believe that if he had been anywhere near his house he would not have been arrested. He was arrested on the 31st when he was returning from a certain temple where he was presumably concealing himself. Shankar was arrested near Bhuleshwar on 6 February. He too was arrested at a place where he was not expected to be.

The only person who could have been arrested if the police wanted to arrest him was Gopal, younger brother of Nathuram [Godse]. This prisoner was at the Frontier Hindu Hotel on 20 January, in the Elphinstone Annexe Hotel for a short time on or about the 24th and in Thana on 25 January. Neither the Elphinstone Hotel, Bombay, nor the house of Mr. G.M. Joshi at Thana are places which he was known to visit but in any case the police could not know that he was concerned in the crime. On the following day, i.e., on 26 January he went and rejoined his appointment. He could obviously have been arrested on that day if the police had been aware that he was a member of this conspiracy but the police were not aware of this fact and he continued to be at large for a few days more. As soon as it was known that Mahatma Gandhi was the victim of a murderous assault furious mobs attacked the houses of persons who were said to be concerned in the crime. The house of Mr. Savarkar was attacked and was strewn with broken glasses and other missiles. The life of Gopal, who was known to be a brother of the assassin, was in imminent danger and police protection had to be given to prevent him from being lynched. He was rushed off to his native village where prejudice against him was probably not as strong as in the neighbourhood of Poona. He was arrested near Uksan on 5 February, his name having probably been supplied by Badge who was arrested on 31 January or by Madanlal who was brought from Delhi to Bombay on or about 4 February.

And what about the movements of Nathuram and Apte? Nathuram and Apte left Delhi for Kanpur by train on the night of the 20th and stayed in a retiring room at the railway station at Kanpur on the 21st. They did not supply their names to the booking clerk. They left Kanpur on the 22nd and reached Bombay on the 23rd. They went to the Arya Pathik Ashram at about 9 p.m. and Apte asked for a room with two beds in the name of D. Narayan. No room with two beds was available but they were allotted two beds in a room containing eight beds. They left their luggage in that room and returned to the Ashram at 1 o'clock in the night. The accommodation provided for them was not suitable and Nathuram and Apte shifted to the Elphinstone Annexe Hotel on the 24th. They stayed there under the assumed names of N. Vinayakrao and a friend. At about

6.30 on 27 January, they left [for] Delhi by air under the assumed names of D. Narayanrao and N. Vinayakrao. They left Delhi the same afternoon, reached Gwalior at night, spent 28 January in Gwalior and returned to Delhi on the morning of the 29th. Nathuram and Apte stayed in a retiring room of the railway station at Delhi on the 29th and for a part of the 30th which had been booked by Nathuram in the name of N. Vinayakrao. On 30 January, Nathuram went to the prayer meeting armed with a pistol and fired at Mahatma Gandhi. It was impossible for any police officer, however capable and efficient he might have been, to have prevented Nathuram from committing the crime on which he had set his heart. He was going about from place to place under assumed names, not staying in any one place for more than a day or two and it was impossible for any police officer to catch hold of him particularly if he was not known or suspected to be a co-conspirator. Apte was going about with Nathuram all the time. He too travelled about under assumed names. Even if the police were aware on the night of the 20th that Nathuram and Apte were concerned in the conspiracy it is extremely doubtful if they could have stopped them from achieving their end.

The police did all that was reasonably possible to do. Immediately after the explosion the police appear to have sent a number of persons to various railway stations in order to prevent the suspects from escaping by train. Badge states that as soon as the tonga carrying him and his servant Shankar reached the railway station at New Delhi and as soon as he had purchased two third-class tickets from Delhi to Poona he found a great commotion on the platform. The police were moving about. Sensing danger to himself he came out of the platform, got into a tonga and set off for the railway station at Delhi. He slipped through their fingers because the police do not appear to have known till that hour that he was concerned in the crime. Nor did they know anything about Nathuram or Apte. If the statement of Madanlal is correct that he did not know the names of the conspirators and did not supply them to the police it is idle to contend that the police could have prevented the tragedy notwithstanding the reticence of Madanlal. Nathuram had made up his mind and was prepared to risk his life in order to take that of Mahatma Gandhi. He took the risk of entering the premises of Birla House armed with a pistol and he actually fired the fatal shots when he was surrounded by a large multitude of people. He did not care to run away. He had come to Birla House with a particular object and he was determined to achieve it. He was prepared to take all risks and to abide by the inevitable consequences. Was it possible for the police to stop a person whom they did not know, or a person who was going about from place to place under false names or a person who was determined to commit this particular crime regardless of consequences to himself? The police were aware that something was afoot, but they did not know when or where or by whom the blow was to be struck. They were groping in the dark and could not find their way. We know what has happened and may be able to say that this precious life could be saved this way or that way, but it is always easy to be wise after the event.

The evidence on record satisfies me (a) that no opportunity was afforded to the

police to explain the circumstances which prevented them from apprehending Nathuram before 30 January and thereby saving the life of Mahatma Gandhi; (b) that Madanlal failed to supply the names of the conspirators to the police; (c) that even if those names were supplied it was extremely difficult, if not impossible, for the police to arrest Nathuram who was going about from place to place under assumed names and who was determined to assassinate Mahatma Gandhi even at the risk of losing his own life.

Enclosure 2:

(An extract from the judgment of Hon'ble Mr. Justice Kachru Ram dated 21 June 1949 in the Gandhi Murder Case)

Before concluding I want to advert to some remarks made by the learned Special Judge as to the slackness shown in the investigation during the period between 20 and 30 January 1948 but for which, in the view of the learned Judge, the tragedy could have been prevented. I must say that I have not been able to discover any justification at all for these remarks which in my judgment were wholly uncalled for.

30. *From Ramdas M. Gandhi to Jawaharlal Nehru*

Khalasi Lines
Nagpur
26/29 June 1949

My dear Jawaharlalji,

I thank you for your letter of the 13th instant. Shri Kishorlalbhai who returned today to Wardha from Delhi gave me the gist of his talk with Vallabhbhai about the proposed visit to Godse. And also why the judiciary should be allowed to deal with Godse as it thinks best.

As it has never been my intention to do anything that all the three of you may not like, I have decided to leave Godse's case in the hands of Destiny. As it is Destiny that impelled me to write both my letters to Godse.

Kindly forgive me for the embarrassment I must have caused to all of you. With kindest regards,

Yours,
Ramdas

31. *From C. Rajagopalachari to Vallabhbhai Patel*

Simla
28 June 1949

My dear Vallabhbhai,

You may remember Kishorlalbhai's letter which he sent to me from Dehra Dun and my immediate reply thereto of which I sent you a copy.

I propose to see him at Delhi if he should be still there when I return from here on 30 June and give him the enclosed reply personally rather than send the communication by post.

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
Dehra Dun.

Enclosure:

(Letter from C. Rajagopalachari to Kishorlal Mashruwala)

Simla
June 1949

My dear Kishorlalbhai,

The enclosed paper expresses my present views on the question of capital punishment. Unless we are able to abolish the death penalty by law at once, it seems entirely absurd to give the benefit of such abolition, so to say, to one who has confessed having committed the foulest murder of our times and who does not show the least sign of repentance and claims still to have acted entirely deliberately and on his own account. This is my reaction to your article but this will have to be kept as an entirely secret and personal document between you and me.

Yours sincerely,
C. Rajagopalachari

Shri Kishorlal Mashruwala
C/o the Hon'ble Dr. Rajendra Prasad
New Delhi.

(Mr. Rajagopalachari's views on capital punishment)

I am not by any means enlarging the scope now given to judges in India to decide whether to give the death penalty or other alternative punishment in cases of murder, but differing from a number of my friends I am sorry I do not believe it

would be well to abolish the death penalty, that is, remove the possibility of using it against any sort of crime.

Let me clear the preliminary ground. It is not a question of giving up the creed of non-violence by which I agree we should continue to keep our policies largely directed. It is not, I believe, anyone's view that, beyond making non-violence the guide for individual conduct, we could abolish the army or the present system of preserving peace and order and solely resort to non-violent sanctions, whatever they might be. No one has yet devised a plan of government on that basis. Nor can we afford to make a wholly new experiment in India in our present circumstances. Let us also remember that imprisonment is as much violence as the death penalty and it would be odd when we have imprisonment for all offences, we should consider death penalty for brutal murder alone as banned by the creed of non-violence. If we must retain state violence, then the question is only one of whether the death penalty may sometimes be used against certain types of murder. One has only to examine the current records of crime to realise that some crimes are being committed which call for a severer penalty than any period of imprisonment. Most murders may be adequately dealt with by long imprisonment, but I feel that some kinds of murder there are which call for much severer punishment than any imprisonment that may be awarded.

Very much that has been said against the death penalty is true. But there is no doubt in my opinion that the presence of the penalty in the laws of the country does restrain persons in certain cases from going to the limits which in their state of mind they would otherwise not mind. There are in our human affairs, in the present state of progress, certain circumstances and situations wherein the taking of life offers itself as a solution to people in distress and difficulty. It is necessary that there should be in the law something to act as a deterrent and a counter force in such cases. If the only sanction is a term of imprisonment, the urge to kill will have its way.

Imprisonment has lost its terrors and its disgrace. Increasing amenities in prison life are being rightly provided. These cannot be denied or qualified by any discriminatory regulations. The urge to kill and solve a difficulty cannot be coped with by the sanction of imprisonment in all cases. Transportation over the seas had a certain terror, but it is now abolished in fact and generally known to be no longer in vogue. To retain the death penalty in the Statute Book and to give large powers to the judges to give an alternative sentence even in cases of proved murder in cold blood seems to be the only proper thing to do.

If I may put it facetiously but quite truly, we should not give to our friends the murderers the monopoly of inflicting death sentences whenever they choose while disabling ourselves from inflicting such a punishment. It must be admitted that we have not been able yet to prevent people from killing others for greed and for other mean and sordid reasons. Statistics can easily be obtained on this head. If we abolish the death penalty, there is every likelihood that men and women will be encouraged to commit murders more freely than they now do.

32. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
1 July 1949

My dear Vallabhbhai,

The latest demand that the principle of non-killing should be given effect to in favour of the murderers of Bapu is from Mavalankar [see enclosure]. Once again I much regret we did not proceed with the trial of the principal offender without waiting for the investigation and trial of those involved in the conspiracy, when we found that the principal offender was determined not to assist us in disclosing his compatriots. People were then [neutral] and no one was inclined to recommend the abolition of capital punishment with immediate application to Bapu's murderers in order that we may glorify Bapu. People have no imagination and do not see the consequences of their advice based on ill-considered notions of devotion and loyalty.

I have not replied to Mavalankar except to say that I do not wish to correspond on the subject but will see him if he should come to Delhi in the near future.

Yours sincerely,
C. Rajagopalachari

P.S. Kishorlalji had left when I arrived in Delhi. I do not think I should send any letter by post to him dealing with the subject. I had intended to give my views in person but it is not now possible.

The Hon'ble Sardar Vallabhbhai Patel
Dehra Dun.

Enclosure:

(Extract from G.V. Mavalankar's letter dated 27 June 1949 to
C. Rajagopalachari)

Though I know your views and the limitations of your position, I do not feel reconciled to the idea that, howsoever much we may abhor him, the murderer of Bapu should be killed on the gallows. Mine is not merely a sentimental reaction, though I admit that sentiment has a good deal to do with it.

I feel that capital punishment must be done away with. The state has been hanging so many people, and yet the incidence of crimes is not getting less. If we want to progress towards a non-violent society, as visualised by Gandhiji, we must not proceed with the idea of punishing, but we must gradually so arrange

our affairs that the criminals would be treated more and more as objects of reform, as we may do with the mentally deranged. Capital punishment has been tried so long. Let us now try the other method.

33. *From V. Shankar to Satyanarayan Sinha*

Dehra Dun
2 July 1949

My dear Satyanarayan Babu,

I am sending herewith two copies of extracts of judgment delivered in the Godse trial on the subject of the alleged acts of omission and commission of the police during investigation.* H.M. would like these extracts to be circulated with reference to the discussions in the party meeting on the original comments of the trying court.

Yours sincerely,
V. Shankar

The Hon'ble Shri Satyanarayan Sinha
Minister of State for Parliamentary Affairs
Council House, New Delhi.

*See enclosures to N.V. Gadgil's letter to Vallabhbhai Patel dated 26 June 1949.

34. *From C. Rajagopalachari to Kishorlal Mashruwala*

Government House
New Delhi
2 July 1949

My dear Kishorlalbhai,

I had hoped I would be able to see you in Delhi on my return from Simla. I do not think it would be a good thing if I discuss through correspondence the points raised in your draft article and in your letter of 28 June. You have had a meeting with Sardar and I have no doubt you must have discussed these matters with him. The article and correspondence in *The Statesman* and the activities of Mr. Thatte should not be a reason for you. An article in the *Harijan* is very different from these things. I am really sorry that I have not had the advantage of a personal discussion with you as I am not prepared at this stage to send anything in writing to friends on this subject.

I am clear in my mind that it would be very undesirable for Ramdas to see the condemned person unless Ramdas has finally renounced worldly affairs and

wishes to be a person entirely devoted to religion, in which case he is free to do anything.

Yours sincerely,
C. Rajagopalachari

Shri Kishorlal Mashruwala
Bajajwadi, Wardha.

35. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
3 July 1949

My dear Vallabhbhai,

Enclosed copy of a letter from Ramdas to the Prime Minister* may be seen by you, as it is a satisfactory termination of the matter.

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
Dehra Dun.

*See Ramdas M. Gandhi's letter to Jawaharlal Nehru, dated 26/29 June 1949.

36. *From Vallabhbhai Patel to C. Rajagopalachari*

Dehra Dun
4 July 1949

My dear Rajaji,

Thank you for your letter dated 2 July 1949.

2. I had a long talk with Kishorlalji when he was here and conveyed to him almost identical views as you proposed to do in your note. I told him that no sensible man would think of abolishing the death penalty in India in the conditions which prevail today. We have been going through so many mercy petitions and we ourselves find, with the best will in the world, that in a majority of cases the death penalty should be sustained. If the death penalty is not to be abolished, then I could not think of a stronger case for the infliction of the death penalty than that of Godse. He has committed the worst crime imaginable and as you said in an earlier letter "he stabbed the heart of India itself". I endorse your reply of 2 July which you sent to him. If in spite of all this he feels that he should

share his thoughts with the readers of the *Harijan*, you and I cannot help it.

3. I have also received your letter regarding Master Tara Singh's release. Nobody is more keen on his release than myself. Indeed it was most distasteful to me to place him behind the bars, but, he asked for it and from what we know he is unrepentant and unchanged. I had hoped that after the principal Sikh demand was met he would be more sober. Giani Kartar Singh* and two of Master Tara Singh's lieutenants saw him shortly after this decision was taken. They found him adamant and unmoved. Recently two other Sikh leaders went and saw him and I enclose a gist of their interview with him.† The Sikh leaders themselves are apprehensive lest after his release matters might get worse. He is a fanatic and seems to suffer from some hallucinations about the coming of Sikh Raj and you will notice that he even goes to the extent of saying that those who cannot reconcile themselves to the demands of Sikhs in East Punjab, should clear out. At the same time, I realise that his detention cannot be permanent. I am watching the situation and you can rest assured that as soon as I am able to do so, I shall release him.

Yours sincerely,
Vallabhbhai Patel

His Excellency Shri Rajagopalachari
Governor-General of India
Government House
New Delhi.

*Akali leader; Minister in East Punjab.

†Not included.

37. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
5 July 1949

My dear Vallabhbhai,

I am grateful for your letter [4 July].

I am very glad we are all so completely agreed about the question (Godse).

I hope that any delay in the case of Apte and others on account of their attempts to get the Privy Council to hear their case will not delay the disposal of Godse's case. There can be [no] bar to it on account of any application for leave to appeal in the other cases.

As regards the other matter (Tara Singh) I had no doubt in my mind. You were as anxious to release him if possible as anybody else. We have to deal with it to

the utmost advantage of the general welfare. You may consider and do as you deem best.

Yours affectionately,
Raja

The Hon'ble Sardar Vallabhbhai Patel.

38. *From Satyanarayan Sinha to all Members of the Constituent Assembly of India (Legislative)*

Council House
New Delhi
16 July 1949

Dear Friend,

During the last session of the Constituent Assembly (Legislative) some Honourable Members gave notice of questions based on certain remarks regarding the police made by the learned Special Judge in his judgment in the Gandhi murder case. As an appeal against this judgment was filed in the High Court of the East Punjab and the whole matter had become subjudice, these questions were for the time being not admitted by the Honourable the Speaker.

The High Court of the East Punjab has now delivered its judgment in the case and has held that the observation of the learned Special Judge in regard to the action of the police was not warranted by the facts on record. As it will be some months before the next session of the Legislature is again summoned and there will, therefore, be no opportunity in the intervening period to make a statement on the floor of the House, I am to bring to your notice the relevant observations of the East Punjab High Court, a copy of which is enclosed with this letter.

Yours sincerely,
Satyanarayan Sinha

Enclosure not included.

39. *From A.P. Singh to Vallabhbhai Patel*

Camp: Patiala House
New Delhi
7 August 1949

My dear Sardarji,

During my interviews here on 30 July 1949, you were very kind to assure me

that you were considering my prayer for transfer of my State to Orissa and will consult Bihar in that connection. You were also pleased to advise me to see that the people remain calm and give no quarter to Bihar for taking oppressive measures and also to see the Hon'ble Dr. Rajendra Prasad. I am trying to see him and hope to do so as early as will be convenient to him. Again I have wired my people to remain calm and patient. In the meantime I have received a number of telegrams, copies of which are enclosed herewith, which will show what repressive measures Bihar has begun simply because the people observed a hartal against the merger of Seraikella with Bihar. Even the sanctity of temples was violated. I hope and trust you will kindly order an immediate impartial enquiry and put a stop to such inhuman oppression. I further hope that you will kindly see that immediate steps are taken to transfer my State to Orissa.

Yours sincerely,
A.P. Singh
[Ruler of Seraikella]

The Hon'ble Sardar Vallabhbhai Patel
Deputy Prime Minister of India
New Delhi.

Enclosures not included.

40. *From Vallabhbhai Patel to Sri Krishna Sinha*

Malabar Hill
Bombay
12 August 1949

My dear Sri Babu,

There has been some agitation about the transfer of Seraikella and Kharsawan, particularly the former, to Orissa. I have been receiving letters and telegrams about it and the Ruler of Seraikella has himself seen me. I have told him that the transfer of Kharsawan to Orissa is out of the question unless Bihar itself wants to get rid of it. At the same time, I feel that if any genuine grievances do exist, you should try to remove them. It is no use keeping running sores and the only effective way to deal with them is to cure them. I do not know exactly what the position is, but I thought I would draw your attention to it so that you may prevent things from getting out of hand.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Shri Sri Krishna Sinha
Patna.

41. *From Vallabhbhai Patel to K.M. Munshi*

Bombay

19 August 1949

My dear Munshi,

I have had some enquiries from Delhi regarding the question of Hindi. Tandonji has also written to me. From what you told me, I gathered the impression that everything had been amicably settled and there was no controversy, but these enquiries and Tandonji's letter give me a contrary impression. It is a vital question, in which it is necessary for us to take both a long-range and practical view of the problem. I know the feeling and strength behind the many currents and cross-currents in the party on this question. Happily, however, the range of controversy has been narrowed. I feel that it might be of some assistance if I gave you, and through you to the party, an indication of my views on this question. I hope what I state will assist in the solution of this very important problem.

2. There seems to be a consensus of opinion as to the place of Hindi in Devanagari script. It will, and must, be the national or official language of India. Once we accept this basic fact, from which I see no escape, everything that follows must fit in with that fact. We cannot have any incongruity or inconsistency on this issue in the Constitution. Even where we have to depart from the logical consequences of this decision because of practical difficulties, we must not ignore that basic fact. To act otherwise would be bringing into ridicule one of the basic and fundamental articles of the Draft Constitution.

3. In these circumstances, it seems to me quite clear that we must bring about a state of affairs which would permit the attainment by Hindi of its due position as official language in the shortest time possible. The time factor is undoubtedly important in order that the old order of things can be adapted to this new fact. I, however, feel that ten years should be an adequate period, in which things may be moved to a complete change at the end of it. In other words, at the end of ten years' period, English should be replaced completely by Hindi. This would necessitate a recognition of two official languages within the ten years' period, namely, English and Hindi. I consider it necessary, because we cannot have a paper official language as Hindi and an effective official language as English. The best course, consistent with our dignity as well as our sense of responsibility, would, therefore, be to face the facts squarely and to recognise a bilingual period of ten years as being forced on us by history and existing circumstances. At the same time, we cannot leave things to develop on their own. The Government will owe to the Constituent Assembly which has framed the Constitution as well as to the people on whose behalf the Constitution will have been framed, to make every effort to bring about that change within that period and to create conditions whereby progressively Hindi would be taking the place of English. In other words, Government must, during this period, make such administrative

changes from time to time and issue such administrative directives and orders which would gradually replace English by Hindi. As to what extent, in what manner and in what localities and at what speed all this should be done must obviously be a matter for Government to consider. Any expert advice on this issue is unlikely to help us. Experts are more dogmatic than helpful. I would, therefore, suggest that instructions on these points may from time to time issue from the President, which would of course mean the Dominion Government on the advice of a committee of the Legislature, elected on the basis of proportional representation, so that there would be representation of all points of view. This committee would, of course, be advisory in character, because Government must be free to determine its attitude in the light of practical considerations. But I have no doubt that Government would, in an overwhelming measure, be guided by the advice of this committee.

4. From what I have said above, it follows that we must have Hindi in Devanagari script as the official language. There can be no question of a hybrid language, such as suggested in some quarters which have recommended Arabic numerals in place of Hindi numerals. In any case, recognition of English as official language in the first ten years amply meets the points and difficulties of our friends from the South.

5. To sum up, therefore, I would suggest to the party for consideration the following propositions:

- (a) Hindi in Devanagari script (both letters and numerals) should be recognised as the national or official language.
- (b) Government must make every effort to ensure that Hindi attains its due position as official language as soon as practicable.
- (c) With a view to realising (b) above, Government would take such administrative measures as may be necessary, progressively to replace English by Hindi at the end of ten years.
- (d) During this period of ten years, both Hindi and English shall be recognised as official languages, but the extent to which each could be used to the exclusion of, or in conjunction with, the other should be determined by the President on the advice of a committee of the Legislature elected on proportional representation.

Yours sincerely,
Vallabhbhai Patel

Shri K.M. Munshi
2 Windsor Place
New Delhi.

42. *From S.N. Mehta to V.P. Menon*

Chief Minister's Office
 Rewa, Vindhya Pradesh
 22 August 1949

Dear Mr. Menon,

I have just received your letter of 17 August 1949, enclosing copies of a letter from Dr. Rajendra Prasad and of your reply to it. The information given by Honourable Rafi Ahmed Kidwai to Dr. Prasad is misleading. I do not remember to have seen a copy of his letter to the States Ministry. Cases of criminal breach of trust under section 409 I.P.C. against Sardar Narmada Prasad Singh were not registered on that letter but on regular complaints received from other sources and on the charge-sheets drawn up against Sardar Narmada Prasad Singh. Investigation showed that some important incriminating Government files which used to be in the personal custody of Sardar Narmada Prasad Singh had been retained by him. Some searches were made in order to obtain possession of those files and other documents. It is reported that some relevant papers have been found.

2. Ever since these criminal cases were registered, Sardar Narmada Prasad Singh has been busy trying to cloud the issues in order, obviously, to escape the consequences of his actions. He has been sending false reports to Hon'ble Prime Minister and Deputy Prime Minister with copies to Hon'ble Rafi Ahmed Kidwai and Purushottamdas Tandon. His paid agents in Rewa and other places have also been doing the same. Hon'ble Rafi Ahmed complained to Hon'ble Pandit Ravishankar Shukla, Premier of C.P., at Delhi the other day that we were 'concocting' cases against Narmada Prasad Singh, without ascertaining the facts of the case. His present complaint to Dr. Rajendra Prasad is another instance of the same kind.

Yours sincerely,
 S.N. Mehta

Shri V.P. Menon, C.S.I., C.I.E.
 Adviser to Government of India
 Ministry of States
 New Delhi.

43. *From Jawaharlal Nehru to Vallabhbhai Patel*

New Delhi
 11 September 1949

My dear Vallabhbhai,

For the last two or three days there has been a great deal of talk about the

Presidentship. I felt that something had to be done to avoid subsequent contest and conflicts. I decided therefore to write to Rajendra Babu and I wrote to him yesterday in my own handwriting. As I have no copy of this letter, I shall indicate from memory what I wrote.

I wrote that I had heard some talk about the Presidentship and Rajendra Babu's name had been mentioned. We were all agreed that it would be most unfortunate for any kind of a contest to take place between Rajaji and Rajendra Babu. I felt that having regard to all the circumstances, perhaps it might be desirable for Rajaji to function as President for the interim period, as this would involve the least change or difficulty. Of course I said that there could be no question that Rajendra Babu's choice as President could be an excellent one. But it seems simpler and more feasible for Rajaji to continue at this stage. I mentioned that you were in general agreement with me.

Tonight I have received Rajendra Babu's reply. I enclose a copy of it.* Also a copy of my reply to him.†

This morning I went to a meeting of the Drafting Committee. Satyanarayan was there and he said that he had spoken to you on the telephone and that you had suggested the postponement of the transitional clause in the Constitution dealing with the election. I agreed that the matter should be postponed, but the clause as framed merely laid down that the Assembly should elect the President. There was no harm in that clause being passed and the personal question not being raised at this stage. This could be done later when you were here. I had not then received Rajendra Babu's reply.

This is the position. I must say that I have been greatly surprised at the content and tone of Rajendra Babu's letter. It is for you to deal with the situation now. I shall not mention it to anyone here. I did tell Satyanarayan however that I had written to Rajendra Babu on the subject, though I did not tell him in any detail.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel.

*See enclosure to Dr. Rajendra Prasad's letter to Vallabhbhai Patel, dated 11 September 1949, in Correspondence—Part I.

†See Jawaharlal Nehru's letter to Dr. Rajendra Prasad, dated 11 September 1949, in Correspondence—Part I.

44. *From Jawaharlal Nehru to Vallabhbhai Patel*

New Delhi

14 September 1949

My dear Vallabhbhai,

I enclose further copies of correspondence with Rajendra Babu.

Yours,
JawaharlalThe Hon'ble Sardar Vallabhbhai Patel
New Delhi.*Enclosure 1:*

(Copy of Dr. Rajendra Prasad's letter to Jawaharlal Nehru)

1 Queen Victoria Road
New Delhi
14 September 1949

My dear Jawaharlalji,

Please excuse me for the delay in acknowledging your letter of 11th* which I got on the 12th. It has been due to the very taxing work of the Assembly and my own rather weak health which prevents work at night.

I am very sorry for the pain and distress that has been caused by my letter. I beg you to bear with me as I explain how the impression which impressed itself in the letter was formed. It was the result of a sequence of events and your letter read in their context.

My attention to the question of the Presidentship was prominently drawn for the first time when I got a message communicated to me through Satyanarayan Babu from Vallabhbhai who was then at Dehra Dun. It was to the effect that something had been published in the *Blitz* about contest between Rajaji and me and that I should contradict it. Without a moment's hesitation I agreed to issue the contradiction. It so happened that on the same day there was a party in Government House and Rajaji also mentioned the matter and further told me that in some Hindi paper of Jaipur with which Hiralal Shastri was associated had also published something to the same effect. I told him that I had received a message from Vallabhbhai and although I had not seen the *Blitz* I was going to issue a contradiction and that I would write to Hiralal Shastri also. He advised me that it would be better to show the statement to you before issuing it. I showed you the statement accordingly and sent a copy of it to Rajaji with a note that it had your approval. He wrote in reply and also told me on the phone that it had his

approval. The statement was thereafter issued. I had not seen the *Blitz* and therefore my statement was in general terms. Later when I saw the *Blitz* I found that it contained very disparaging allegations against Rajaji suggesting that he was manoeuvring to get elected and also said that you and Vallabhbhai were supporting him. Regarding me it said that I would be set aside on the ground of my health. If I had seen the *Blitz* paper before I issued my statement, it would have been differently framed. As it was, there was no allegation against me which needed contradiction from me and there were serious allegations against our topmost man. After seeing the *Blitz* I drew the attention of Vallabhbhai to this aspect. He was pleased with my statement and was glad that I had accepted his advice. This happened, I believe, in June last when Vallabhbhai was at Dehra Dun.

After the publication of my statement, some members of the Assembly and some others saw me and inquired what the occasion for the statement was and why I should not fulfil the wishes of a large number of persons if they wanted me to become the President. I told them that I had done the right thing, that there should be and could be no contest between Rajaji and myself, that I had never wanted any position or honour and that they need not interest themselves in the matter and should leave it for the decision of others whose responsibility it was. Nothing further happened except that on more than one occasion other people said the same thing and got the same reply.

You paid a visit to Bombay especially to discuss important questions with Vallabhbhai and soon after your return I got your letter. It started with impressing the need for clearing our minds regarding the person to be put forward, the undesirability of a contest between top ranking Congressmen, and the rumours in the Press which persisted in spite of my contradiction and mentioned that something like canvassing was going on among members of the Constituent Assembly. You then proceeded to say that you had discussed the matter with Vallabhbhai and that both of you felt that Rajaji should continue for some reasons which you mentioned. You ended with the expression of a hope that I would agree with what you and Vallabhbhai felt, viz., that Rajaji's name should be put forward and suggested that it would be fitting that I should put forward his name.

The effect of the letter and the sequence of events whose context it was, I thought, written, on my mind was that you had not accepted my public statement as genuine, and that perhaps I could stop the canvassing that was going on and that with a view to ending it you and Vallabhbhai had discussed and come to the decision that Rajaji's name should be put forward and that I should fall in line with that and it would be graceful for me to suggest Rajaji's name. I felt hurt that if you had any doubt in your mind that I would be a contestant you could have inquired of me and it would not have been necessary for you to weigh Rajaji and me in scales and find in favour of Rajaji, not because I did not look upon him with respect and even affection and that he should not be preferred if I cared to contest, but that I should be judged when there was no occasion for it. I have laid

bare the inner working of my mind and desire to say no more than accept every word of what you write in your letter under reply and offer you my sincerest apologies for the pain caused by that.

Yours sincerely,
Rajendra Prasad

The Hon'ble Pandit Jawaharlal Nehru.

*See Jawaharlal's letter to Dr. Rajendra Prasad, dated 11 September 1949, in Correspondence—Part I.

Enclosure 2:

(Copy of Jawaharlal Nehru's letter to Dr. Rajendra Prasad)

New Delhi
14 September 1949

My dear Rajendra Babu,

Thank you for your letter of 14 September. I am grateful for what you have written.

When I went to Bombay to see Vallabhbhai, as far as I can remember, your name was not mentioned between us. Certainly this matter was not discussed. I remember of course your speaking to me about this some months ago, showing me your draft statement. It was about that time that I had some talk with Vallabhbhai. I wrote to you this time, because Satyanarayan and others came to me and said that there was a good deal of talk going on in the party. Also that the very next day the Drafting Committee was considering this matter. My letter was entirely an effort of my own and I do not even exactly remember what I wrote, as I kept no copy. So far as Rajaji is concerned, I have not discussed this matter at all with him in any way.

Yours sincerely,
Jawaharlal Nehru

Dr. Rajendra Prasad
New Delhi.

Copy to the Hon'ble Sardar Vallabhbhai Patel, New Delhi.

45. *From Jawaharlal Nehru to Vallabhbhai Patel*

New Delhi
15 September 1949

My dear Vallabhbhai,

During these last few days, we have had to face any number of difficulties and troubles. I have not written much to you or telephoned to you, partly because I

have had little time to do either, but chiefly because I do not wish to trouble you unnecessarily. I know that you have a bad habit of worrying. I do not want to add to your worries. I knew of course that you were kept in touch with events here by Satyanarayan and others.

The language issue was solved ultimately more or less satisfactorily. We have got over the question of the name of the country also. We postponed today the consideration of the transitional provisions, which would have involved the choice of the President of the Republic. You will have to face this issue during the October session and I shall not be here. I believe Rajendra Babu intends fixing 7 October for the session. I have suggested that a party meeting might be held on 4 or 5 October at which I could be present. But it really does not matter. You will be here and the burden will be upon you to pilot these last stages of the Constitution Act.

I have been rather worried over this question of our President. You must have read my correspondence with Rajendra Babu. I had not spoken to Rajaji at all. But when I learnt that there was a good deal of talk and canvassing going on for Rajendra Babu and there was even a possibility of some decision this evening at the party meeting, I decided to speak to Rajaji and put him in touch with developments.

I am told that very active and vigorous canvassing has taken place on this subject and there is a large majority who favour Rajendra Babu. The Biharis of course are in it, the Andhras, a good number of the Tamils. Then generally the protagonists of Hindi favour Rajendra Babu. I was a little surprised to learn that Syama Prasad Mookerjee also favours him.

This is not merely a question of favouring Rajendra Babu, but rather of deliberately keeping Rajaji out. One of the most active agents in this business is Goenka.

I did not tell Rajaji all this, but gave him some rather vague ideas of how events were developing. He said to me that he would rather be out of the picture and that he was somewhat tired of it all. I told him that so far as I was concerned, I wanted him to continue, quite apart from personal reasons, because I thought it was important that a man like him should be there.

My U.S. programme goes on lengthening itself and I find that it will hardly be possible for me to come back to India before 14 November. The third reading for the Constitution Bill, it is suggested, should be from 7 November onwards. If possible I should have liked it to be a week later. But I do not want to upset all arrangements. If this third reading begins on the 14th (Monday), then Parliament can hardly meet much before 28 November. I do not know if there will be enough time for it before Christmas.

The final reply to the U.N. Commission was given today. We made some changes according to your suggestions. Tonight I had the U.N. people to dinner here. I understand that they intend going to Geneva within two weeks or so. This is the end of one chapter. Probably they will spend three weeks or more in Geneva and then go to Lake Success.

I am going to the Punjab for three days on Saturday morning, returning on Monday night.

I hope your health continues to improve.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

46. *From Vallabhbhai Patel to Jawaharlal Nehru*

Bombay 6
21 September 1949

My dear Jawaharlal,

Thank you for your letter of 15 September 1949.

2. I am sorry that you should be having to face these difficulties and troubles while I am away here. I feel so unhappy about it and sometimes curse my own helplessness. However, I am now returning to Delhi on the 25th and hope to share with you your burdens.

3. I am glad that the language controversy has been solved so satisfactorily and that the choice of the name of the country has not also presented any serious difficulty. I understand that a meeting of the Congress Party has been called on 5 October.

4. As regards the question of President of the Union, I have had a letter from Rajen Babu which is somewhat reassuring. At the same time, as you say, a large majority seems opposed to Rajaji. As you say, Goenka is in it. You know what his relations are with Rajaji and what sort of a man he is. He has been an agent of discontent for some time in the party, although judging from the allegations made against him in connection with the charges made against Madras Ministers, it is quite clear that he is not in a position to point an accusing finger at others. His latest game now is to bring even my name in and to suggest that if I could be persuaded to take up this position, he would withdraw his opposition to Rajaji. I find that this has been canvassed in the Press also. I do not know when our people, particularly the Press lords and the Press, will learn to behave with a sense of responsibility and to maintain the dignity of at least the higher offices. Instead, it seems that no person or position is sacred for them. The most unfortunate part of it is that people are associating Gopalaswami Ayyangar's name with this agitation and are pointing to the relations between him and Goenka. How far there is any truth in this, you can judge for yourself. But the

whole atmosphere stinks in my nostrils and I wonder to what depths of intrigues and manoeuvrings we have lowered ourselves.

5. The position, therefore, is undoubtedly very complicated. Your correspondence with Rajen Babu has shown that the matters have to be dealt with very tactfully and cautiously. In a way, the situation is rather baffling, but I do hope that the spirit of accommodation and self-denial which has guided us in the past will come to our rescue and we may see some light. We can talk about it when I return.

6. Your visit to the U.K. and the U.S.A. comes at a very crucial time in our history. Both economically and politically, we are faced with problems in which international help and cooperation would definitely be an asset to us. It is my earnest prayer that your visit may secure us this asset. The devaluation of the pound accompanied by the non-devaluation of the Pakistan rupee, has made matters even worse. It has accentuated both the urgency and the immensity of the problems. Never before was there a greater need for a definiteness of policy and clarity of our objectives. I suggest that, before you go, we have an exhaustive exchange of ideas on this and shape our course accordingly. We must, in the next few months, go all out for complete recovery.

7. I am somewhat worried over the evacuee property problems. My information shows that the Pakistan Government are going to cast their net even wider and it is possible that they may define evacuees virtually to include every person who is a national or permanent resident of India and may cover even our public and private companies. This would be disastrous to the interests of non-Muslims in Pakistan and is bound to produce very bitter reactions not only amongst our refugees, but also in the general public. It might also have an adverse effect on communal relations.

8. I am leaving Bombay on the 24th morning for Ahmedabad. I want to see my old friend Dr. Kanuga at Ahmedabad. He has been ailing for a long time and is merely counting his days. I shall be leaving Ahmedabad for Delhi on the 25th morning reaching Willingdon aerodrome at about 10.50 a.m. You will probably be in Srinagar that day, but we can meet and discuss our problems sometime on the 26th.

9. There has been general improvement in my health since you saw me last, but lately there were two or three attacks of cold; whether on account of the change in the climatic condition or as a reaction to some mercury injections, which have been prescribed, is not definite. That has not, however, affected the improvement in the general condition.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi.

47. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
24 September 1949

My dear Vallabhbhai,

Here is a learned letter from the President, Assam Provincial Congress Committee, which concerns your Ministry!

Jamnalalji's son-in-law, Shri Sriman Narayan Agarwal, and his wife, Madalsa, saw me yesterday on their return from America. I have received a letter from him from America wherein he had written in the same strain as the President of the Assam Provincial Congress Committee and that universal opinion among those whom he met in America was in favour of respecting Bapu's teachings by clemency to his murderer—who murdered him for those very doctrines. I spoke to Sriman Narayan and Madalsa when I saw them here yesterday. I could see that the girl was quite convinced that their proposal was wrong. The husband also agreed but perhaps without conviction!

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

Enclosure:

(Letter from Debeswar Sharma to C. Rajagopalachari)

Jorhat, Assam
20 September 1949

Sraddheya Shri Rajagopalachari,

I seek this opportunity of begging you to exercise your prerogative of mercy and to save the murderers of Bapuji from the gallows, because I feel it from the bottom of my heart, as also perhaps millions of persons not only in India but all over the world, that if Bapuji [had] survived the attack he would undoubtedly [have] requested the authorities to excuse and release the assailants. Let us please recall the conduct of Bapuji after the Arabs assaulted him murderously when he arranged to take out the certificate of registration of 10 February 1908, in South Africa.

I need hardly add any argument in support of my request. I have a feeling that what I am writing is already in your mind, as one so long and closely associated with Bapuji could not have missed this aspect of the most tragic incident. I profoundly feel that we as a nation will prove unworthy followers of Mahatma Gandhi if we take the life of Godse and Apte in retaliation under the fetish of a

section of the Penal Code, because such action would be contrary to the lifelong preachings and practice of the Father of the Nation.

I am not unaware of the pending appeal, but one does not expect the verdict to be altered by the higher Tribunal.

With best wishes and regards, I am,

Sincerely yours,
Debeswar Sarmah*

*Chief Whip of Congress Party in Assam Legislative Assembly; Dominion Agent in Manipur State.

48. *From Vallabhbhai Patel to C. Rajagopalachari*

New Delhi
27 September 1949

My dear Rajaji,

Thank you for your letter of 24 September 1949.

The President of the Assam Provincial Congress Committee also happens to be a member of the Working Committee. That completes our 'discomfiture'. Sometimes I begin to wonder why so many of us display signs of a complete lack of sense of proportion. When persons so highly placed can indulge in such nonsense, we can well imagine why our things are in a mess.

Yours sincerely,
Vallabhbhai Patel

His Excellency Shri C. Rajagopalachari
New Delhi.

49. *From Sri Krishna Sinha to Vallabhbhai Patel*

Patna
15 October 1949

My dear Sardar Sahib,

I am grateful to you for your letter dated 16 September regarding Seraikella and Kharsawan. As I said in my letter of 19 August, I am committed to give full protection to the language and culture of the Oriya-speaking population in the States of Seraikella and Kharsawan, and I have taken steps to ensure that they have no reasonable cause for any grievance on this account. I may perhaps repeat

some of the facts concerning these two States for your information. All the schools in which instruction used to be given through the medium of Oriya under the Rulers, or during the period when the States were administered by Orissa, have been continued with Oriya as a medium of instruction, and their teachers have been given much higher salaries and allowances. A number of additional primary schools with Oriya as the medium of instruction have also been opened by us. In no school has the Oriya language been replaced by Hindi. Oriya students have been given special facilities for higher studies either by relaxation of standards for admission in colleges or by awarding suitable scholarships in deserving cases. A boy of an Oriya family, which is definitely known to be helping the agitation started by the Raja of Seraikella, has been awarded a stipend for postgraduate studies at Allahabad University. Another Oriya student who possesses third class qualifications has been admitted into our Medical College where Bihari boys of much higher merit and calibre could not get admission. Oriya has never been the court language in any part of the district of Singhbhum, of which Seraikella and Kharsawan States now form a subdivision; but we have made special provision for the States of Seraikella and Kharsawan where petitions and complaints in Oriya continue to be received. Oriya members have been given more than adequate representation in the Advisory Councils which were formed to associate the local people with the administration of the two States.

2. The Oriya-speaking population in general has no grievance against our administration. As a matter of fact, a representative deputation of Oriyas waited on Shri Bishwanath Das* at Seraikella during his recent visit to that State and told him in unequivocal terms that they were perfectly satisfied with our administrative arrangements under which Government had not only given adequate protection to their language and culture, but had also undertaken a number of development and welfare schemes. It is only a handful of Oriyas who, at the instance of the Raja of Seraikella, are carrying on this agitation and are making all kinds of false and mischievous allegations against our Government. I explained to you the reasons for this agitation in my previous letter. Mahtab has also written to me that it is the Opposition in the Orissa Assembly led by the Raja of Kanika which is using this agitation as a plank for the next election campaign.

3. I did not wish to worry you with a long letter in your present state of health but I feel that I should tell you something, though very briefly, about the recent visit of Shri Bishwanath Das to Seraikella. Shri Bishwanath Das expressed a wish to Krishnaballabh Babu that he would like to go to Seraikella with Pandit Prajapati Misra to study the situation for himself. A joint tour was accordingly arranged and Shri Bishwanath Das and Pandit Prajapati Misra went to Seraikella on 17 September. We thought that Shri Bishwanath Das would have due regard for the advice which you gave him in your letter of 23 August, and he would not do anything that would help the agitation started by the Raja of Seraikella. But I am sorry to tell you that Shri Bishwanath Das used our

hospitality to give a stimulus to the agitation which was dying out. He spent four hours in the palace where, it is said, plans were made for intensifying the agitation. A branch of the Utkal Provincial Congress Committee was established overnight at Seraikella and Shri Bishwanath Das performed the formal opening ceremony in spite of vigorous protests from Singhbhum Congressmen. The Singhbhum District Congress Committee arranged for a public meeting on the 17th which was addressed by both Shri Bishwanath Das and Pandit Prajapati Misra. While asking the people of the States of Seraikella and Kharsawan to remain calm and peaceful, Shri Bishwanath Das told them that the question whether Seraikella and Kharsawan should be merged with Bihar or with Orissa was being settled by him in consultation with leaders. Pandit Prajapati Misra repudiated this suggestion and said that a decision had been taken by yourself to merge the States with Bihar, and it was not proper or right for any Congress Committee to agitate to undo that decision. The fact that Shri Bishwanath Das had held a private meeting in the palace and the fact that he was not prepared to accept your decision to merge the States with Bihar as final caused serious resentment amongst the people of the two States, including a large number of Oriyas and this led to some tension on 18 September. Shri Bishwanath Das expressed a wish to address a separate public meeting but on the advice of Pandit Prajapati Misra he agreed not to do so. He however stayed on in Seraikella after Pandit Misra had left and addressed a public meeting which was arranged by the Raja's party in utter disregard of the understanding which had been arrived at between him and Pandit Misra. The meeting was held without the permission of the Deputy Commissioner which was necessary under the law. I am told that the Oriyas were openly agitated at this meeting to carry on the agitation for amalgamation of the States with Orissa.

4. You may perhaps be interested to know that in spite of so many allegations of suppression of the Oriya language and culture and victimisation of Oriyas, Shri Bishwanath Das had only one message for me, after his visit to Seraikella. He did not like our policy of admitting Adibasi boys in the Seraikella H.E. School, which had so far been the close preserve of Oriya students and he has asked me to do something to remove this "grievance" of the Oriyas. I need hardly tell you that Government schools, all over the Province, are open to all students without any regard for race, caste or creed and we could not possibly refuse to admit Adibasi boys in the H.E. School at Seraikella only because they were Adibasis.

5. Congressmen in Bihar are much exercised over this conduct of the President of a neighbouring Provincial Congress Committee and I should be grateful to have your advice as to how we are to deal with persons like Shri Bishwanath Das who come into this Province to foment Provincial feeling and hold meetings in contravention of the law. For my part I shall sincerely act up to the advice you have given me in your letter under reply, and shall be glad to have any suggestions which you may wish to make regarding the administration of Seraikella and Kharsawan.

6. In the end I must express the gratefulness of the Province of Bihar for your firm decision to merge Seraikella and Kharsawan with Bihar.

Yours sincerely,
S.K. Sinha

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

*Premier of Orissa, 1937-39; Congress member of C.A.; later Governor of U.P.; Chief Minister of Orissa, 1971.

50. *From Vallabhbhai Patel to Sri Krishna Sinha*

New Delhi
24 October 1949

My dear Sri Babu,

Thank you for your letter dated 15 October 1949, regarding Seraikella and Kharsawan.

I am very glad to note that you have approached the question in the proper spirit. All that I can suggest to you is that you must solve the minority problem in your Province, such as Oriyas and Bengalis, in a spirit of goodwill and with generosity. What is necessary is not only that there is this spirit at the top but that even the subordinate officers are imbued with this spirit. Very often we find that, while the Ministers have a generous heart and the proper approach to the problem, the subordinate officials, particularly officials on the spot, are so much filled with provincial spirit that in their day-to-day administration they unnecessarily create irritation and bitterness. After all 95 per cent of the life of the local population is spent in dealing with the local administration. I hope, therefore, that you will instruct the officers concerned to behave in the spirit which I have mentioned above. As regards the details, I leave it to you to translate your policy in action.

You need not be much worried about the activities of Shri Biswanath Das; so long as they have no discontent to exploit, they will gradually make themselves ineffective. I have already written to him and, when he comes here next time, I may have something to say to him.

Menon has already written to you in detail about some of the complaints which have reached us and which might require your attention. I have nothing else to suggest just now.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Shri Sri Krishna Sinha
Patna.

51. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
24 October 1949

My dear Vallabhbhai,

I am sending you the enclosed draft in pursuance of our talk this morning.

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

Enclosure:

(Draft)

The question of clemency in this case (Godse) and in that of Apte was considered by me and the Governor-General after the judgment of the High Court had been delivered and before the petitions for leave to appeal to the Privy Council were filed. Now that the Privy Council have disposed of the cases finally and petitions for clemency having been received purporting to be signed by the near relatives of the two condemned prisoners and from Apte, it is necessary once again to consider if we may extend any clemency in these cases. On the merits all the courts have gone into the evidence very fully and carefully and there is nothing more to be said on the subject. The murder is certainly the most disgraceful and treasonable crime that has been committed in recent times. The whole world was shocked by it. The two prisoners have not during the trial or subsequently expressed the least sign of regret or repentance although by age and education they were quite fitted to realise the enormity of their crime. Some sort of repentance has come from Apte but it seems a belated and most inadequate attempt to atone for his crime. There is no desire or offer to make a clean breast of the case. Had there been any genuine attempt to delink himself from the past, there should have been a full and frank confession. We would not be prepared to attach any value to such repentance. There can therefore be no question but that the law must take its course in both these cases.

52. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
24 October 1949

My dear Vallabhbhai,

I suggest the enclosed may be added to the draft already sent.

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel
New Delhi.

Enclosure:

It is suggested in some quarters that as Gandhiji favoured the abolition of capital punishment we ought to extend clemency to those who murdered him. We have not abolished the death penalty and those on whom the responsibility of government is placed cannot make a distinction and treat more favourably those who have chosen to kill the best among us while ordering the execution of the death penalty in so many other cases.

53. *From J.N. Prasad to Chakradhar Sharan*

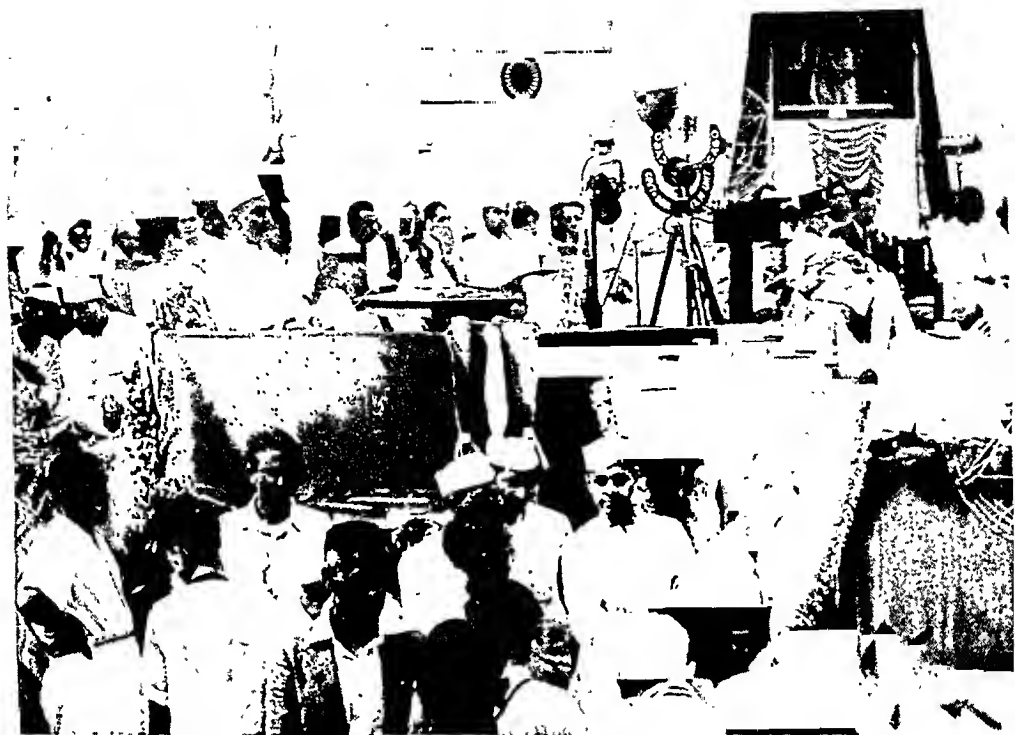
GOVERNMENT OF BIHAR
(LOCAL SELF-GOVERNMENT DEPARTMENT)

No. 16573 L.S.G.

Patna
The 4th November 1949

Sir,

In continuation of this Department's letter No.16051 L.S.G., dated the 18th October 1949, I am directed to enclose herewith a brief note on "Union Boards versus Gram Panchayats" together with a Hindi edition of the Bihar Panchayat



Dr. Rajendra Prasad presiding over a meeting of the A.I.C.C. at Delhi



Dr. Rajendra Prasad presenting to Purushottamdas Tandon (extreme left) a commemoration volume on him; sitting second from right is Seth Govind Das

Raj Act, 1947, and the rules framed thereunder.* No copy of the Act in English is available at present.

Yours faithfully,
J.N. Prasad
Under Secretary to Government

Shri Chakradhar. Sharan
1 Queen Victoria Road
New Delhi.

*Not included.

Enclosure:

(Note on the Union Boards versus Gram Panchayats)

Union Boards established in Bihar under the B. & O. Village Administration Act, 1922, aimed at development of self-government in rural areas. The Act was on Bengal model and the scheme of enforcement of its provisions was also similar to that Province. It was divided into three main parts so far as the functions were concerned. Part III dealt with the administration of village police, Part IV with village uplift programme and Part V with village judiciary. It was optional for the Provincial Government to enforce the Act in whole or in part, with the result that in practice only a few places could exercise all the powers under the Act. The number of villages brought within [a] union varied from 10 to 25. The smaller unions had only one panchayat of the village court while the larger ones were divided into two panchayati circles.

2. The scheme showed bright prospects in the beginning but gradually enthusiasm of the people began to decline and in course of time they became veritable grounds of quarrel between petty village factions. Because of dual control of the village police by the Union Boards as well as the Police Department, all the vices of dual government set in and there were numerous occasions when the Union Boards and the police developed serious conflicts. The levy of union tax meant for financing the village development schemes including village sanitation and conservancy was also optional and as such most of the Union Boards evaded their imposition altogether and thus powers under Part IV became practically a nullity. Due to growth of party factions, the members of a panchayat or the village court could not impart real justice with the result that villagers lost their confidence in them. A large number of Union Boards were found in moribund condition and the Government had no option but to abolish them. About 200 of them are still taking their last breath with a regular cry from most of them for conversion into Gram Panchayats.

3. I have described some of the inherent defects of the Village Administration Act above. In practice, Union Boards were a mere scratch on the surface of rural

self-government and as they did not go deep down, they had to fail ultimately. With the advent of the first Congress Ministry in 1937, an attempt was made to enact a suitable legislation for developing the countryside. A retired officer of the Bengal Provincial Civil Service, one Mr. Deb, was invited to prepare a draft and he actually did prepare one. On examination, however, it was found to be too unwieldy to work in the villages and, after the resignation of Congress Ministry, all efforts in the direction of village self-government came to a standstill. In 1946, when the Congress again came in power, the Bihar Panchayat Raj Bill was presented before the Legislative Assembly after mature deliberation and it became an Act in December 1947.

4. The Bihar Panchayat Raj Act, 1947, aims at establishment of Panchayat Raj in the villages of the Province which in essence means thorough democratisation of the villages through village self-government. On the model of ancient village republics in this country it tends to revive self-sufficiency and self-government in all the branches of village-life by teaching them self-dependence and self-help. Its basis is the ancient panchayati and democratic culture of this country renovated by the ideas of Gandhiji on panchayati or Ram Rajya in the villages and its one aim is the spot solution of all the present-day difficulties of the countryside.

5. Unlike the B. & O. Village Administration Act, the Bihar Panchayat Raj Act aims to create real self-governing units in villages with full deliberative, executive and judicial powers. It cuts at the root of dual government by severing all connections with the existing village police and having instead a statutory force of its own for policing the Gram Panchayats. Instead of bringing together a number of conflicting villages within [a] union as in the former Act, the Bihar Panchayat Raj Act takes ancient village as a unit for the exercise of all the powers of the Gram Panchayat. Due stress has been laid on the execution of development programmes rather than on the exercise of the judicial powers. Gram Panchayat is the name of the deliberative body or the Village Parliament consisting of all the adults residing within its jurisdiction. The ancient name of Mukhia has been given to the executive head of the Panchayat who will be elected by direct adult vote on the model of American President and he has been similarly empowered to appoint the members of his Executive Committee according to the prescribed rules. This direct election of the executive head aims at creation of a strong executive for killing party factions in villages and reduces the evils of election to the minimum. Presumption is that if a Panchayat is able to pick out a really capable man for filling the office of Mukhia, we shall have gone a long way in solving our present evils in villages. Adequate powers have been given to the Mukhia and the Executive Committee for effecting all-round development in the fields of sanitation, public health, medicine, education, agriculture, village industries and other development schemes. The Mukhia and his committee will be aided in administration by the Village Volunteer Force which really aims at conscripting all able-bodied males within 18 to 30 years of age. The force will be under the command of a Chief Officer who will be appointed by the Executive Committee and will be suitably trained at

creation of Union Boards under the Village Administration Act. The villages are at first selected and are brought by means of constant supervision and guidance to a standard when they are declared fit for notification under the Act so that when the powers are vested in them they may utilise them usefully and not become instruments of oppression of the weak by the stronger and richer elements of the village as was the usual scene in the Union Boards.

54. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
6 November 1949

My dear Vallabhbhai,

Manilal Gandhi supplies an important omission by cable from Durban [see enclosure].

Yours sincerely,
C. Rajagopalachari

The Hon'ble Sardar Vallabhbhai Patel.

Enclosure:

(A telegram from Manilal Gandhi to C. Rajagopalachari)

Durban
6 November 1949

GOVERNOR-GENERAL
NEW DELHI

REFERENCE MY CABLE APPEALING FOR GODSE'S DISCHARGE DESIRE INCLUDE
NARAYAN APTE WHOSE NAME WAS INADVERTENTLY LEFT OUT

MANILAL GANDHI

55. *From Sri Krishna Sinha to Kala Venkata Rao*

Patna
8 November 1949

Dear Shri Kala Venkata Rao,

Will you kindly refer to your letter dated the 12th August 1949, with which you sent to me a copy of a letter from Shri Bishwanath Das, regarding Seraikella and Kharsawan? I am sorry I could not reply to your letter earlier, as we had, in the

meanwhile, received a letter from Shri Bishwanath Das in which he had expressed a desire to come to Seraikella and study the situation along with Shri Prajapati Misra, President of the Bihar Provincial Congress Committee. A joint visit by the Presidents of the two Provincial Congress Committees was arranged accordingly, and they went to Seraikella on the 17th September. I expect Misraji has written to you about his reactions to the visit of Shri Bishwanath Das to Seraikella. From the reports I have received it appears that Shri Bishwanath Das availed of the opportunity to prepare plans, in consultation with the Raja of Seraikella, for reviving the dying agitation for the amalgamation of the two States with Orissa. At the public meeting which was addressed by both Shri Bishwanath Das and Pandit Prajapati Misra on the 17th, Shri Bishwanath Das said that the question of merger of the two States with Bihar or Orissa was not final and that it was being settled by him in consultation with other leaders. This was an incitement to the people against the decision of Sardar Patel and the States Ministry. Shri Prajapati Misra had to repudiate the suggestion openly, and to ask the people to abide by the decision of Sardar Saheb. He also said that it was improper and disloyal for any Congressman to work up an agitation against that decision. Shri Bishwanath Das was not content with this alone. He organised a branch of the Utkal Provincial Congress Committee at Seraikella overnight, in spite of the vigorous protests from the Congressmen of Singhbhum, and performed the opening ceremony of this office on the 18th September. He also addressed an unauthorised public meeting on the 18th afternoon after the departure of Misraji from Seraikella in utter disregard of the understanding arrived at between him and Misraji that he would not address any public meeting. While addressing the public meeting, he is reported to have advocated the use of "1942 methods" for securing the merger of the States with Orissa. The agitation which was started by the Raja of Seraikella sometime ago and which was dying, was thus given a stimulus by Shri Bishwanath Das. Local Congressmen are extremely agitated over this conduct of the President of a neighbouring Provincial Congress in trying to create difficulties for the Congress workers and a Congress Government of another Province, and I request that the All India Congress Committee should examine the propriety of Shri Bishwanath Das's action and should do the needful as soon as possible.

2. As regards the representation of the members of the Constituent Assembly representing Orissa, I think it is futile to enter into a discussion of the circumstances which led the States Ministry to decide upon the merger of Seraikella and Kharsawan States with Bihar and not with Orissa. These States have throughout been a part of Bihar. They have been attached to the Commissioner of Chchotanagpur Division and the Deputy Commissioner of Singhbhum for their administrative matters. Geographically they are in the heart of the district of Singhbhum. Ethnologically and culturally they are integral parts of Chchotanagpur. A majority of the population consists of Adibasis who have their kith and kin in Bihar. They are opposed to a man to any idea of merger of the two States with Orissa. Oriyas are in a small minority in the

two States and the Oriya-speaking population is just above 20 per cent. The States Ministry, therefore, could not but take the decision that these two States should be merged with Bihar.

3. The States were first integrated with Bihar on the 18th May 1948. On the 5th June 1948, I went both to Seraikella and Kharsawan where I was warmly welcomed by all sections of the people. I gave a public assurance to the Oriyas that their language and culture would receive all protection from me, and we have faithfully implemented that solemn assurance. All Oriya schools which came down from the time of the Rulers have not only been continued, but a number of additional schools with Oriya as the medium of instruction have been opened by us. In no school has Oriya been replaced by Hindi. The salaries of Oriya teachers have been considerably increased. On education alone, we are now spending over rupees four lakhs as against about Rs.50,000 during the time of the Rulers. Important public Oriya festivals have been recognised by Government and grants made for their celebrations. Oriya employees of the States have been given much better salaries than they were getting. A number of minor irrigation projects have been completed and many are under progress. About 4,000 acres of paddy land have been brought under irrigation. There were no arrangements for drinking water in the two States. A number of wells have already been sunk and sites for several more have been selected. The people on the whole are satisfied with the progress made during the short period of about 15 months.

4. I consider that unless the All India Congress Committee takes steps to liquidate the Utkal Provincial Congress Committee in the district of Singhbhum and its branch in Seraikella, which was opened on the 18th September 1949 by Shri Bishwanath Das, the strength and the unity of Congressmen in this part of the Province are likely to suffer considerably. I hope you will be able to do something in the matter as soon as possible.

Yours sincerely,
S.K. Sinha
Premier, Bihar

Shri Kala Venkata Rao
General Secretary
All India Congress Committee
7 Jantar Mantar Road
New Delhi.

Copy forwarded to Hon'ble Dr. Rajendra Prasad for perusal.

S.K. Sinha

56. From C. Rajagopalachari to Vallabhbhai Patel

Government House
New Delhi
13 November 1949

My dear Vallabhbhai,

It is strange how people can talk like this [see enclosure].

As long as we keep the army, the police and the prisons and the magistrates going, we are "killing Gandhi" over and over again and those who talk this way would see what they mean if we withdrew them.

Yours sincerely,
C. Rajagopalachari

Enclosure:

(A telegram from Walter Noethiger to C. Rajagopalachari)

Zurich
12 November 1949

HIS HIGHNESS THE GOVERNOR-GENERAL FOR INDIA
NEW DELHI

WITH THE MURDERER INDIA KILL GANDHI ONCE AGAIN THE SPIRIT WITHOUT
USING ANY FORCE THE PEACE IN ALL THE WORLD AND HIMSELF LET US WORK
FOR PEACE IN DEEDS AND ACTIONS

WALTER NOETHIGER

57. From K.P.N. Nair to J. Choudhry

HARIJAN SEVAK SANGH

Jamshedpur
14th November 1949

My dear Choudhryji,

Mr. Madan wishes to be elected to one of the vacancies in the Constituent (Central) Assembly. He needs no introduction.

The local Harijan Sevak Sangh and the Harijans in particular owe a deep debt of gratitude and obligation to Mr. Madan. Under his able guidance and inspiration we have been able to build up a Cooperative Society which has now got a membership of 953 and working capital of about Rs.80,000 of which Rs. 62,000 is contribution from Harijans alone.

The Harijan Debt Settlement Committee, of which he is a member, is Mr. Madan's own original idea, for the development of which I had the good fortune

to contribute my humble mite. It has won the admiration of the local intelligentsia and the money-lenders and Harijans as well as those who came to know about it. We have been able to settle so far claims against the Harijans in the neighbourhood of Rs.60,000 with a payment of not more than Rs.27,000. We have yet to cover a long distance before we realise our dreams. Mr. Madan can rightly claim recognition for his untiring efforts in organising the Leprosy Relief work in this place and a number of other constructive activities.

Does not the society as a whole owe Mr. Madan an obligation by giving him more chances to express himself? Professor T.N. Jagadishan remarked to me the other day that the country cannot see a truer Congressman than Mr. Madan! Can anyone disagree?

I know my words are too inadequate and even unnecessary to influence your support for Mr. Madan's success in the forthcoming election or selection. I have no doubt in my mind about your support for this attempt.

Yours sincerely,
K.P.N. Nair

Hon. Shri J. Choudhry
Patna.

58. *From C. Rajagopalachari to Vallabhbhai Patel*

Government House
New Delhi
19 November 1949

My dear Vallabhbhai,

You stand condemned by Mr. Jagadindu Bagchi [see enclosure].

Yours sincerely,
C. Rajagopalachari

Enclosure:

(Extract from a letter from Jagadindu Bagchi dated 16-11-49 to
C. Rajagopalachari)

It was a small thing though, but a thing of deep import. I have it from the papers that "the relatives of Godse and Apte were not permitted to be present at the time of the cremation", and yet "the cremation was performed in accordance with Hindu Sanatanist rites...."

It is this that I must condemn, if it means, as it seems to do, that the cremation was performed not by those who, according to the Sastras of age-old custom, were

the right persons to do so, but by the jail authorities themselves. A man does not war with the dead. I wonder how your Government could be so blind as to deny two dead men a fundamental right like this.

59. *From Chakradhar Sharan to Dr. B.V. Keskar*

1 Queen Victoria Road
New Delhi
The 21st November 1949

My dear Dr. Keskar,

Enclosed herewith I am sending you a letter which has been received by the Hon'ble Dr. Rajendra Prasad from the convener of the United Students' Organisation, Allahabad. It is not clear from the letter whether this organisation is a part of the U.N.O. organisation or it is merely a student organisation of all the nations. I hope you will be in a position to throw light on it. You will please also return the letter with your reply.

Yours sincerely,
Chakradhar Sharan

Dr. B.V. Keskar
7 York Road, New Delhi.

Enclosure not included.

60. *From R.C. Sinha to Chakradhar Sharan*

PREMIER'S SECRETARIAT, BIHAR

No. 132/S.P.

Patna
The 16th December 1949

Dear Sir,

In reply to your letter No. nil dated the 2nd December 1949, I am desired by the Hon'ble the Premier to say that the report that police officers in Bihar are compelling bus drivers to buy copies of the autobiography of Dr. Rajendra Prasad (which has been published in the *Blitz* dated 29th November 1949) is without any foundation.

I am desired to request you to kindly convey this information to the Hon'ble Dr. Rajendra Prasad.

Yours faithfully,
R.C. Sinha
Secretary to Premier

Shri Chakradhar Sharan
Private Secretary to Hon'ble Dr. Rajendra Prasad
1 Queen Victoria Road, New Delhi.

61. *From Basanta Kumar Das to Vallabhbhai Patel*

7 Electric Lane
New Delhi
25 December 1949

Respected Sardarji,

Please excuse me for addressing this letter to you. I would not have intruded on your very valuable time had I not been impelled to do so by a sense of duty and responsibility with respect to the very momentous decision that the Congress Party has to take in the matter of electing the first President of the Indian Republic.

After a great deal of anxious thought I have come to the conclusion that I must seek your permission to propose you as the first President of the Republic.

I am aware that you took upon yourself and your colleagues to decide amongst yourselves as to who should be put up as the candidate for that highest post in the land. Still I cannot help offering my humble suggestion for your careful consideration.

I cannot conceive of a worthier, stronger, more effective and more dignified combination than yourself being associated as the Head of the State with Pandit Nehru as the Prime Minister which he already is.

Your great strength and power is to be utilised not for guiding the decisions of the Cabinet as is the case in the present set-up but for influencing them from a position of the highest dignitary in the land after a careful scrutiny of every important thing that the state has to see through. Your thought and energy should not be taxed by day-to-day file work or the less important details of the procedural matters of the legislatures. Your indomitable will has to shape the nation's destiny by generating a force outside the Cabinet so that it may steer clear through many a stormy weather that is ahead of us. Your judgment should have the scope of a second sifting for the things that the Cabinet decides either by virtue of the post that you will hold or of the position that you will occupy.

I firmly believe that such an orientation as I have indicated above will create the highest amount of confidence in the Government not only in this country but

all the world over and there cannot be a better guarantee for the peace and prosperity of the people at this critical juncture of our national life.

I must also frankly express my anxiety over your failing health. If you have to be in the harness and there is no way out you must have to be spared the toil of the vigorous life of a minister and have to be given a more peaceful and less arduous task as I have proposed.

You may very naturally be anxious for the proper utilisation of a few other talents (which unfortunately we do not possess in abundance), even assigning to yourself a much inferior position and not claiming one in which your claim can be indisputable. But I have no doubt that if we can fulfil the need of the hour in the most suitable manner things will settle themselves without any loss to our assets.

I am confident that my feelings are shared by many of our friends in the party and in the country at large. I, therefore, beseech you to accept my humble suggestion.

I pray that my views may find a response [in] your heart. I hope you will very kindly permit me to bring a formal proposal before the party for their acceptance.

Yours truly,
B.K. Das

Sardar Vallabhbhai Patel.

62. From Vallabhbhai Patel to Basanta Kumar Das

New Delhi
27 December 1949

Dear Friend,

Thank you for your letter of 25 December 1949. I am deeply touched by the sentiments which you have expressed. The honour of being the first President of the Indian Republic should be reserved for broader shoulders than my own. Everybody must be content with serving the country from a position which is assigned to him and where he can give of his best. I am quite content with mine. I hope, in these circumstances, you will give up the idea of nominating me.

With kind regards,

Yours sincerely,
Vallabhbhai Patel

Shri Basanta Kumar Das, M.C.A.
7 Electric Lane, New Delhi.

63. *From Dr. P.V. Cherian to Major A.T. George*

Ripon Buildings
Madras
3rd January 1950

My dear,

I saw Dr. Rajendra Prasad this morning. As you know, he is a chronic asthma patient and he also gets occasional migraine on the right side. I examined him today and found that he has a slight deflection of his septum to the right. I am not in favour of a septum operation, but on testing the sensitive spots in the nose, though he does not get any reactionary sneezing, his eyes start watering which, as you know, is an indication that cauterising the sensitive spots may do him good. I have recommended this cauterising particularly for the right side and have also recommended you in this connection. Please do whatever is necessary. I have also given him multimix for his asthma and Tuamine Inhaler to use when he gets headache. Rajen Babu will contact you in Delhi.

Yours affectionately,
P.V. Cherian

Major A.T. George, M.B.B.S., D.L.O., F.R.C.S.
Ear, Nose, Throat Surgeon
Irwin Hospital, New Delhi.

64. *From Sudhir Ghosh to Chakradhar Sharan*

MINISTRY OF REHABILITATION

D.O. No. RHB-22(6)/49

New Delhi
4/5 January 1950

My dear Chakradhar Babu,

I enclose for your information a copy of a letter addressed by me to the Principal Private Secretary to the Prime Minister who desired to have a brief account of the state of things at Faridabad. I shall be grateful if you would kindly show this letter to Babuji at a spare moment.

With kind regards,

Yours sincerely,
Sudhir Ghosh

Shri Chakradhar Sharan
1 Queen Victoria Road
New Delhi.

Enclosure:

FARIDABAD DEVELOPMENT BOARD

New Delhi
3rd January 1950

Dear Mr. Pai,

I have not yet received any weekly reports from our Officers at Faridabad in response to the enclosed letter addressed to them,* but I am writing to give you such information as I could gather on the spot yesterday when I visited Faridabad.

2. As you know, our target is to complete 4,000 modest houses before the next monsoon so that the refugees may not have to spend another rainy season under canvas. 2,000 plots for these houses are ready now and the preparation of the remaining 2,000 within the next month will present no difficulty. The production of bricks is, however, rather slow. We had arranged to start seven kilns and the position in regard to brick production is as follows.

3. No. 1 kiln run by contractors is already in production and we are getting 20,000 burnt bricks a day. No. 2 kiln is being run by the Indian Cooperative Union and is producing 20,000 bricks a day. No. 3 and No. 4 kilns will go into production with effect from the 15th February 1950, and will produce 40,000 bricks a day. Kilns Nos. 5, 6, 7, and 8 will not be able to produce bricks before the end of February. Earthwork and other preliminary arrangements are being done in these kilns. At the end of February we shall have a stock of 25 lakhs of bricks. After that date all the kilns will go into full production. The number of persons engaged in brick production is 280. Their average daily earning is As.14 and together with 150% subsidy they are getting Rs.2/3/- a day.

4. Four sample houses have been built. Each of these houses consists of two rooms of the size 14 ft. X 9 ft. The refugees have examined the sample houses with great interest and have made certain reasonable suggestions. These houses are built partly of burnt bricks and partly of unburnt bricks. The plinth is built of burnt bricks and the roof has been provided by Dr. Koenigsberger out of his stock of imported Swedish roof made of timber board. The refugees have pointed out that the roof will not last long and the engineers agree that instead of these timber boards we should use burnt tiles and timber battens. The refugees also desire that a tiled verandah should be added to the two-roomed house and the walls should be built wholly and not partly of burnt bricks. The cost of the sample two-roomed house is about Rs.1,100. Our engineers think that if we spend another Rs.400 on the house we can easily produce a decent structure with two rooms and a verandah at a cost of Rs.1,500 per house. They, however, point out that we can easily build 2,000 such houses before the rainy season, but not 4,000. If, however, every family is given half of a house, i.e., one room before the rains, one more room can be added afterwards and thus 4,000 two-roomed houses could be completed within a reasonable time.

5. As regards the timber centre, we have at last received 20,000 c.ft. of timber from the East Punjab Government and we are expecting more within the next few weeks. 55 refugees are engaged in timber work together with 12 trained carpenters from outside and four other refugees are engaged in administrative work. The average real income per day in this work is Rs. 1/8/-. As soon as more tools are acquired we shall be able to have another 50 trainees in this centre.

6. *Training Institute.* We have secured the services of Mr. Hukam Chand Mahajan, former Principal of the Technical Institute at Lahore. This gentleman has a considerable experience in the various trades in which we wish to train up refugees at Faridabad. He has started work with effect from the 1st January and his plan will be presented to the Board at its next meeting. As soon as it is passed by the Board we shall take steps to set up the Institute.

7. *Earthwork and road-making and stone-quarrying.* 700 persons are engaged in earthwork and road-making and 200 in stone-quarrying. It is interesting to observe that the average real earning of a worker in this kind of work has increased from As.10 to As.14. Together with 150% subsidy, they are getting about Rs.2/3/- a day.

8. The number of persons who have been given full-time gainful occupation is as follows:

Earthwork, road-making and stone-quarrying	900
Timber work	55
Brick production	280
Plot making	200
Establishment of the Indian Cooperative Union	90
Establishment of the Administrator	100
Engaged by contractors	100
	<hr/>
	1,725

9. As decided in the last meeting, a Committee consisting of representatives of the refugees together with the Camp Commandant and the Deputy Administrator has been formed. There are seven representatives of the refugees on the Committee. This Committee of refugee representatives and officers is expected to discuss among themselves on the spot all problems that arise from day to day with regard to the provision of work and payments to workers and other difficulties. They have been asked to settle all problems as far as possible on the spot and send to the Board only such matters as cannot be decided on the spot. The Committee seems to be working all right.

10. It has been pointed out by our engineers that production of bricks and other materials is slow if the work is done by the refugees on a cooperative basis. The engineers are keen to bring in contractors because contractors can give better results. On the other hand, if the contractors are given a large part of the work

there will not be enough employment for the refugees and consequently no means of livelihood. If the work is done by the labour of the refugees, progress is bound to be somewhat slow. We have to choose.

11. I am sending a copy of this letter to all members of the Board.

Yours sincerely,
Sudhir Ghosh

A.V. Pai, Esq., I.C.S.
Principal Private Secretary to the Prime Minister
New Delhi.

*Not included.

65. *From Chakradhar Sharan to the Director, Publications Division,
Government of India*

Camp: Zeradei P.O.
Distt. Saran (Bihar)
15th January 1950

Dear Sir,

The Hon'ble Dr. Rajendra Prasad has cursorily glanced through the typescript copy of "Our Constitution". He had been hard pressed for time but somehow or other he has been able to write out a short foreword introducing it to the Press. It is regretted that he could not make time to write a longer preface dealing with some aspects of the Constitution.

I have been asked to mention to you some points which though not of much importance in themselves will add to the accuracy of the summary, if included. Dealing with the flexibility of the Constitution two forms of amendments are mentioned. But there is a third kind. There are several articles which can be amended by the Legislature in the ordinary way without even the majority prescribed for constitutional amendments in Art. 368. In relation to States mentioned in Part B of Schedule I it is stated at page 49 that in Jammu and Kashmir and Hyderabad the present rulers continue as the heads. It is understood from Press reports that the Nizam is going to be sworn in as *Rajpramukh* of Hyderabad on the 26th January. There is no reference to the special provisions laid down for the Scheduled and Tribal areas which the Hon'ble Dr. Rajendra Prasad considers are an important feature of the Constitution of India.

Yours faithfully,
Chakradhar Sharan
Private Secy. to Dr. Rajendra Prasad

N.B. The [typescript] copy of "Our Constitution" and the signed copy of the Hon'ble Dr. Rajendra Prasad's foreword are sent by registered post but, to avoid delay, I am also posting a copy of my letter as also a copy of the foreword to you by ordinary post.

The Director, Publications Division
Government of India
Old Secretariat, Delhi.

Enclosure:

(Introductory note by Dr. Rajendra Prasad)

This is a short brochure on the Constitution of India. It summarises in a popular but accurate manner the main features of the Constitution. For an authoritative opinion regarding particular points the articles of the Constitution have obviously to be referred to but an all-round comprehensive view of it can be obtained from this. I have much pleasure in introducing it to the public.

Rajendra Prasad

(Copy of "Our Constitution")

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 - (a) The Judiciary
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1. INTRODUCTORY

Evolution of the Constituent Assembly

In 1922 Mahatma Gandhi first conceived the idea of a Constituent Assembly elected by the people. He observed: "Swaraj will not be a free gift of the British Parliament, it will be a declaration of India's full self-expression. That it will be

expressed through an Act of Parliament is true but it will be merely a courteous ratification of the declared wish of the people of India even as it was in the case of the Union of South Africa." Nevertheless it was not until 1935 that the idea was officially and seriously put forward by the Indian National Congress. "The National Congress", wrote Pandit Jawaharlal Nehru in January 1938, "stands for independence and a democratic state. It has proposed that the constitution of a free India must be framed, without outside interference, by a Constituent Assembly elected on the basis of adult franchise. That is the democratic way and there is no other way short of revolution which can bring the needed result. An assembly so elected will represent the people as a whole and will be far more interested in the economic and social problems of the masses than in the petty communal issues which affect small groups. Thus it will solve without much difficulty the communal and other like problems."

Till World War II, the British Government resisted India's demand for a Constituent Assembly. But the war and the international situation created circumstances which opened the eyes of even of the Churchill Government. The Cripps Plan sought to set up immediately upon the cessation of hostilities an elected body in order to frame a new constitution for the country. This plan, however, proved abortive. On March 15, 1946, Mr. Attlee, the Labour Prime Minister, declared in the House of Commons: "Is it any wonder that today India claims as a nation of 400 million people that has twice sent her sons to die for freedom that she should herself have freedom to decide her own destiny? What form of government is to replace the present regime is for India to decide; but our desire is to help her to set up forthwith the machinery for making that decision."

Born with Limitations

The outcome was the present Constituent Assembly set up in 1946 according to the Cabinet Mission Plan. It was not a sovereign body; "it was born with limitations" both in respect of basic principles and procedure. Moreover, it was subject to the final authority of Parliament.

Notwithstanding these adverse conditions, the Congress agreed to join the Constituent Assembly. The Muslim League, on the other hand, refused to do the same despite the statement of December 6, which conceded practically everything the League wanted. It fell back upon its original stand, according to which the "Muslim nation" would never participate in any single constitution-making machinery. It demanded two separate constitution-making bodies for the peoples of Pakistan and Hindustan.

The deadlock persisted till the June 3 Plan brought about the partition of the country.

A Sovereign Constituent Assembly

The Indian Independence Act scrapped the Cabinet Mission Plan and

established the sovereign character of the Constituent Assembly. On August 14, 1947, it reassembled to assume power for the Government of India.

Shaping of the Constitution

In the first session of the sovereign Constituent Assembly of India, its President, Dr. Rajendra Prasad, spoke of a classless society for India. It was to be a cooperative commonwealth, the making of whose constitution was the supreme task of that Assembly. The foundation of its constitutional structure was laid by the Objectives Resolution which was moved by Pandit Jawaharlal Nehru. It said:

Wherein all power and authority of the sovereign, independent India, its constituent parts and organs of government are derived from the people; and

Wherein shall be guaranteed and secured to all the people of India justice, social, economic and political; equality of status, of opportunity and before the law; freedom of thought, expression, belief, faith, worship, vocation, and action, subject to law and public morality; and

Wherein adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and

Wherein shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea and air according to justice and the law of civilised nations, and this ancient land attain its rightful and honoured place in the world and make its full and willing contribution to the promotion of world peace and the welfare of mankind.

The bricks and mortar of the structure were provided by the reports of the Union Powers Committee, the Union Constitution Committee, the Provincial Constitution Committee, the Advisory Committee on Minorities, Fundamental Rights, Committees on Chief Commissioners and Financial Relations between the Union and the States, and the Advisory Committee on Tribal Areas. But the final shape and the form were given by the Drafting Committee with Dr. Ambedkar as Chairman. The Draft Constitution, fashioned after eight months' labour, was considered clause by clause by the Constituent Assembly and was amended in the light of criticism.

On November 26, 1949, the Constituent Assembly in the name of the people of India adopted and enacted the Constitution—the Charter of India's Freedom. The Constitution as it finally emerged after 2 years, 11 months and 18 days comprises 395 articles and 8 schedules.

National Flag

The Constituent Assembly has also given to the nation its national standard and emblem. On July 22, 1947, the Assembly adopted the Tricolour with the

Asokan Chakra as India's flag. This flag, as Pandit Jawaharlal Nehru put it, "is not a Flag of an Empire, not a Flag of Imperialism, but a Flag of Freedom, not only for ourselves but a symbol of freedom to all people who may see it."

It was in keeping with India's tradition that this symbol of freedom was presented to the sovereign Constituent Assembly by Shrimati Hansa Mehta, on behalf of the women of India.

2. SOME SIGNIFICANT ASPECTS

A Comprehensive Document

The Constitution of India is a comprehensive document. It makes detailed provisions to deal with the initial difficulties of an infant State. These measures will also ensure a harmonious working of the Constitution.

Among others, the Constitution deals with the following: (1) the structure of the government, (2) the function and the relationship between the various organs, (3) citizenship, (4) fundamental rights, (5) directive principles of State policy, (6) the services, (7) the federal judiciary and the High Courts, (8) official language, and (9) various other matters of basic importance.

Sources

The framers of the Constitution have drawn wisely upon the mature experience of the democratic countries. They have thus tried to avoid the defects of other constitutions and to accept only those features from them which would suit Indian conditions. In making certain fundamental departures from the prevalent theories and practices, they have adopted provisions which besides being original avoid rigidity and legalism in coping with emergencies in peace and war. Moreover, they have given the Constitution a national character inasmuch as the *panchayats*, the most valuable of the surviving democratic institutions of ancient India, have been found a place in the country's constitutional structure.

Sovereignty of the People

The Constitution seeks to enshrine the sovereignty of the people and establish a constitutional government, which, according to Woodrow Wilson, is "one whose powers have been adapted to the interests of the people and maintenance of individual liberty".

The Objectives Resolution unequivocally lays down that the ultimate sovereignty, both in the Union and the units, shall rest with the people and the principle has been incorporated in the preamble of the Constitution. "We the people of India," it reads, "having solemnly resolved to constitute India into a Sovereign Democratic Republic, do Hereby Adopt, Enact, and Give to Ourselves This Constitution."

Government by the People

The Constitution envisages a democratic government and defines India as a sovereign democratic republic. In other words, India will have a system of government in which the average citizen has direct access to the sources of authority. The right to political power thus means not only the right to vote or choose representatives but also the right to hold and be chosen for any office. For the first time in the history of modern India, the Constitution confers that right on all adult persons, that is, people who have attained the age of 21, and removes all discriminations based on birth, wealth, colour, race or sex. By a single stroke of the pen the Constitution transforms, for instance, the status of the Indian ryots who form seventy per cent of the population. They become genuine political masters of India. By parliamentary government and universal adult franchise, the Government becomes accountable to the people and to their representatives.

Secular State

In spite of the existence of various communities in India, the Constitution is opposed to communal polity and contemplates a secular State for India. A single common citizenship will be assured to all irrespective of religion, caste, colour, creed or sex. The services provided by the State will thus be distributed equally among all its citizens. Every citizen of India will be free to practise the religion of his choice. The Government will scrupulously refrain from practising discrimination on religious grounds or from patronising or propagating any particular faith. The ideal is based on the theory that a secular State deals only with the relations between man and man and not between man and God. The State will regulate the individual's behaviour only in relation to other human beings.

Federal Structure

The Indian Constitution is a federal structure. It has a dual polity with a written constitution defining clearly the spheres of authority of the Union and its constituent units called the States. There is an independent judiciary to define and interpret the Constitution and resolve disputes arising between the Centre and the States. But unlike America it is not a federal federation, with a bias towards the autonomy and integrity of the units. The Indian Constitution vests the residuary authority (all matters not enumerated in the Concurrent or State Lists will be deemed to be included in the Union List) in the Centre. It also arms the latter with adequate powers to direct all important activities according to a uniformly executed plan. The basic unity in administration is sought through a single judiciary, unity in basic laws, common all-India services and a common language of the State.

The Indian Federation is, however, a flexible one. The Centre can supersede the authority of the States in an emergency.

Its Flexibility

A good constitution must be elastic enough to change in accordance with changed circumstances, meet eventualities without having to undergo the formal process of amendment. The Indian Constitution has all these qualities. The Constituent Assembly has refrained from putting a seal of finality and infallibility upon the Constitution. It has avoided the difficult and complicated process of convention and referendum. It has also eschewed the difficult and complicated process of the American and the Australian constitutions. It has adopted a simple and facile amending process instead.

The Indian Constitution divides the Constitutional provisions into two groups. In the one it includes articles relating to (1) the Central and the State Judiciary, (2) the extent of the executive authority of the Union, (3) relationship between the Union and the States, (4) the Union, State, and Concurrent Lists, (5) representatives of the States in Parliament, and (6) election of the President. The rest of the provisions are grouped in the second category. In relation to the latter the Constitution stands amended if a bill to that effect is passed in each House by a majority of the total membership of that House and by a majority of not less than 2/3rds of the members of that House present and voting. As regards the former the amendments need being ratified by the Legislatures of not less than half of the States specified in Parts A and B of the First Schedule.

Elasticity is further introduced by enabling the federal structure to be converted into a unitary one in an emergency. The Central Government can then assume control of all affairs of the nation and the Central Legislature can exercise legislative powers which are otherwise exclusively vested in the States. Even in peacetime Parliament can legislate on any of these subjects, provided that it is declared of national importance and adopted by a two-thirds majority. The adoption of a long list of the concurrent subjects not only makes the Constitution flexible but is also corrective of unnecessary legalism, the bane of federalism.

The State Language

The provision regarding the State language is another important feature of the new Constitution. For a vast and multilingual country like India a single State language (besides being a medium of national intercourse) is absolutely essential for administrative convenience. The Constitution prescribes Hindi in Devanagari script with the Indian numerals in international form as the official language of the Union. For a period of 15 years, however, the English language will continue to be used for all official purposes of the Union. At the same time provisions have been made to introduce and extend Hindi in official use even earlier than the prescribed period. The Legislatures of the States, however, can adopt one or more of the languages in use in the States as a regional language. Fourteen of these including Hindi have been enumerated in the EIGHTH

SCHEDULE. They can also use Hindi as the official language.

3. CITIZENSHIP IN INDIA

The Indian Constitution provides for common citizenship and eschews double citizenship characteristic of the federal structure as obtains in the United States.

The people entitled to Indian citizenship include:

- (1) those domiciled in India;
- (2) refugees who had migrated to India from Pakistan; and
- (3) Indians overseas.

But these provisions are not meant to be exhaustive, nor are they final. It is left for Parliament to make comprehensive laws on the subject.

The first category of persons on whom the Constitution confers citizenship comprises all those

- (a) who are domiciled in India; or
- (b) either of whose parents were born in the territory of India; or
- (c) who have ordinarily been resident in the territory of India for not less than five years, provided that they have not voluntarily acquired the citizenship of any foreign State.

India has thus adopted a threefold basis for citizenship, namely, birth, descent and residence. These provisions are in certain ways stricter than those found in the Constitution of the United States, according to which birth alone is sufficient *ground* for citizenship. In the Indian Constitution, however, an additional qualification is needed. The person must have "a permanent home in India".

The second category consists of those who have migrated to India from Pakistan and migrants from Pakistan who have come to India under permanent permits granted to them by the Indian authorities. With regard to displaced persons from Pakistan, they would be deemed to be citizens of India on the commencement of the Constitution, if

- (a) they or either of their parents or any of their grandparents were born in India before partition;
- (b) they (in the case of those who had migrated before July 1948) have been ordinarily resident in the territory of India since the date of their migration; and
- (c) they (in the case of those who had migrated on or after July 1948) were registered as citizens of India on application made by them before competent authorities.

With regard to the last, there is a reservation that no such person should be

registered in India unless he has resided in the territory of India for at least six months immediately preceding the date of his application. These provisions are, in fact, in conformity with the policy of the Government to accept practically all displaced persons who came to India from Pakistan before July 1948, but thereafter to accept only such people as were registered citizens of India. The Constitution denies citizenship to those who had migrated to Pakistan after March 1, 1948; but exempts those who had returned to India from Pakistan under permits seeking permanent settlement. The proviso is intended to help those Muslims or their families who left for Pakistan during the disturbances without any intention of permanent residence there.

Finally, the right of citizenship has also been conferred on persons of Indian origin residing outside India. They include all who either themselves or any of whose parents or grandparents were born in the undivided India and who apply for the register themselves as citizens of India through India's diplomatic or consular representatives in any country outside India.

4. FUNDAMENTAL RIGHTS

"Rights are the groundwork of the State. They are the quality which gives the exercise of its power a moral character. And they are natural rights in the sense that they are essential for the good life." Their inclusion in the constitution of a country makes them inviolable, commanding the respect of the people and the government alike. Being fundamental to each citizen, they are made justiciable, but some rights, which cannot be enforced in the courts, are more imperative and less violable because of their place in the Constitution. They have a great educational value and provide training in citizenship.

The theory of fundamental rights implies limited government. It aims at preventing the government and the legislature from becoming totalitarian, and in doing so it affords the individual an opportunity for self-development. But these rights are not absolute; they are subject to the limitations imposed by the State in order to secure similar rights of individuals or to promote the greater interests of the community or the State.

The Indian Constitution provides for all citizens individually and collectively the best fruits of democracy and those basic freedoms and conditions of life which alone make one's life significant and productive. The rights contained in Part I of the Constitution are declared fundamental and justiciable. All other laws which are inconsistent with them or take away or abridge these rights are null and void. The fundamental rights are classified as:

- (1) Right to Equality,
- (2) Right to Freedom,
- (3) Right to Freedom of Religion,
- (4) Cultural and Educational Rights,
- (5) Right to Property, and
- (6) Right to Constitutional Remedies.

Right to Equality

The new Constitution postulates civic and social equality as the bedrock of Indian polity. Discrimination against any citizen on grounds of religion, race, caste, sex or place of birth is prohibited. In public employment it assures equality of opportunity for all. The only exception is the right given to the legislature to prescribe in certain cases residential qualifications and to reserve some posts for backward classes, who, in the opinion of the State, are not adequately represented in the services. The definition of 'backward classes' has been left to the decision of the State Governments.

Another important step which the Constitution has taken towards the establishment of social equality in India is the abolition of titles, local or foreign, which created odious, artificial barriers in the past. Only military or academic distinctions will now be permitted.

Abolition of Untouchability

The Constitution has put the legal stamp on the great social revolution brought about by Mahatma Gandhi. It uplifts about 50 million untouchables of India from their age-old low social status. It lays down that 'untouchability' is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of 'untouchability' shall be an offence punishable in accordance with law. To make this single clause outlawing untouchability is more precious than all the rights of equality guaranteed under the Constitution. It puts an end to the most degrading of social inequalities that have vitiated Hindu society. Such social customs and disabilities as enforced segregation of 'untouchables' at wells, in streets, schools and places of worship are declared illegal. In fact, the ban covers all forms of untouchability specified or unspecified. Some of the prevalent social disabilities are removed and equality in public places is guaranteed to all people. It is provided that "no citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to:

- (a) access to shops, public restaurants, hotels and places of public entertainment, or
- (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public".

With the statutory equality of status accorded to 'untouchables', a new chapter of social democracy opens in India. This right to equality or equal protection of law against segregation on grounds of colour is still to be recognised even in some advanced countries. Under the Indian Constitution, however, segregation on grounds of colour or caste in public places, carriages and educational institutions

constitutes an offence and a direct breach of the right of equality.

Individual Liberty

Consistent with its democratic professions, the new Constitution seeks to guarantee basic rights and freedom to all people in India. Every citizen enjoys freedom of speech and expression, the right to assemble peacefully and without arms, form associations or unions, move freely throughout the territory of India, reside and settle in any part of the territory of India, acquire, hold and dispose of property, and practise any profession or carry on any occupation, trade or business.

These rights, however, can by no means be absolute nor are they so in practice. The Constitution enables the State to restrict these rights in the interest of public order, decency, morality, and security of State and authorises it to impose any reasonable restrictions in public interest. It also safeguards the rights of the State to make laws relating to libel, slander, defamation and contempt of court.

It is sometimes said that the saving clauses in the Constitution whittle down the rights ensured by Article 19. This is an erroneous conception. No rights are ever absolute. They are always subject to limitations imposed by the State to secure or promote the greater interests of the community. Even in the American Constitution some restrictions on rights were recognised by the Supreme Court as vital for the State.

Personal liberty and the rule of law also find their due place in the Constitution. It is provided that no person is to be convicted of any offence except for the violation of the law in force at the time of the commission of that offence. Nor will he be subject to a penalty greater than what may have been included under the existing laws. The other legal reliefs available to the individual are that no person will be prosecuted and punished for the same offence twice and that no person accused of any offence will be compelled to be a witness against himself. The principle of the rule of law is recognised by other provisions also. Thus no person can be deprived of his life or personal liberty except "in accordance with the procedure established by law". Nor shall he be denied equality before the law or the equal protection of the laws in the country.

Detention without trial has been an anathema to the people of India. The Constitution, therefore, provides measures against arbitrary arrest and indefinite detention. It lays down that "no person who is arrested shall be detained in custody without being informed, as soon as may be, of the ground for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice". It defines the procedure to be adopted in the event of detention. It fixes three months as the maximum period of detention unless it is extended on the advice of an Advisory Board, comprising persons qualified to be appointed as judges of the High Court. It also stipulates that the authority making such an order should communicate to the person arrested the ground on which the order

has been made and afford him the earliest opportunity of making representations against such an order. The only exemption from this relief are persons who are: (i) for the time being India's enemies, (ii) aliens, or (iii) are under preventive detention.

Articles on 'Right to Equality' also guarantee freedom of trade and commerce throughout the territory of India. Traffic in human beings, enforced labour and employment of children in factories, mines and other hazardous employment are prohibited.

Religious Freedom

True to the tradition of religious toleration and the catholicity of the Objectives Resolution, India's new Constitution guarantees religious freedom to all. Subject only to public order, morality, health and other essential provisions, all persons are entitled to freedom of conscience and the right to profess, practise and propagate religion freely. The right has been further guaranteed by the autonomy given to every religious denomination to manage its religious affairs and to own, acquire and administer properties for religious or charitable purposes. The Sikhs have thus the right to wear and carry *kirpans*. But certain restrictions are imposed on religious freedom in order that religion may not be used as a political weapon or as a bulwark of social reaction. Accordingly, no one will be compelled to pay taxes for the promotion and the maintenance of any particular religious denomination. Nor is religious instruction or religious worship compulsory at institutions which are either recognised by the State or receive aid out of State funds. The Constitution taboos religious instruction as such in all educational institutions run and maintained by the State.

Cultural and Educational Rights

The new Constitution, as one member of the Constituent Assembly put it, "opens a new era of the rights of the minorities". It tends to safeguard the freedom of every minority to practise its own religion, and to preserve its own culture, language and script. The term minority is used in this connection in a wide sense to include even cultural minorities which exist in a particular locality. The main idea, as Dr. Ambedkar explained, is to see that "if there was a cultural minority which wanted to preserve its own language and culture, the State would not by law impose upon it any other culture which might be local or otherwise". All minorities, religious or linguistic, have been given the right to establish and administer educational institutions and the State is prohibited from discriminating against any such institution in granting aid. Further, no citizen is denied admission to the educational institutions maintained or aided by the State on grounds only of religion, race, caste, or language. Thus, in addition to their own, the minorities will have all the other educational facilities enjoyed by the majority.

Right to Property

The Indian Constitution prohibits the expropriation of property by the State. It stipulates compensation in the event of compulsory acquisition for public purposes. It assures that "no person shall be deprived of his property save by authority of law". For compensation it provides that "no property, movable or immovable, including interest in any company owning any industrial or commercial undertaking, shall be taken possession of or acquired for public purposes under any law authorising the taking of such possession or such acquisition unless the law provides for compensation for the property taken possession of or acquired and either fixes the amount of compensation, or specifies the principles on which and the manner in which, the compensation is to be determined and given." An additional safeguard prescribes that no State legislation for compulsory acquisition can be enforced unless it has received the assent of the President.

Parliament will be the sole judge on two matters: on the propriety of the principle of acquisition, and the decision about compensation. The judicial review arises only if there is a fraud on the Constitution or when expropriation or the principle of compensation is illusory. Such phrases as 'just compensation', 'due process of law' or 'adequate compensation' are purposely avoided to eliminate embarrassing judicial review and unnecessary litigation.

The Constitution, however, exempts from the jurisdiction certain pending legislation on the abolition of zamindari system. Such legislation will, however, be valid after it has received the President's assent. This distinction will prevent sabotage of this essential reform in land tenure by protracted litigation.

The Constitution also endows the State with the authority to make any law for the purpose of imposing or levying a tax or penalty for the promotion of public health or the prevention of danger to life or property. Certain other laws, including those dealing with the evacuee property, are exempt from the jurisdiction of the courts.

Right to Constitutional Remedies

The provision about constitutional remedies, as described by Dr. Ambedkar, is the "heart and soul of the whole Constitution". Rights have no meaning unless they are enforced and safeguarded by constitutional methods. Every citizen thus has the right to move the Supreme Court for the enforcement of fundamental rights. To this end the Supreme Court is given general powers to safeguard these rights as well as the power to propose particular remedies, such as *habeas-corpus*, *mandamus*, etc.

The inclusion of these writs in the Constitution guarantees freedom of the individual. At present they can be scrapped at will by the legislature. When the Constitution comes into force they will become a part of the fundamental law and cannot be changed without amending the Constitution. Parliament,

however, is authorised to confer these powers on any court to exercise them within the local limits of its jurisdiction.

The right to constitutional remedies cannot be suspended save in a declared emergency. Even then the suspension of rights need not necessarily extend to the whole of India. Nor is the power of suspension unfettered. The position under the Indian Constitution more or less corresponds to the practice in the United States. Thus while the Central Legislature has the complete power, the Executive Head of the State has only an *ad interim* power, to suspend the rights. Moreover, the rights are restored as soon as the emergency is over.

Parliament, however, is authorised to modify the fundamental rights in their application to the Armed Forces. A public servant can also be indemnified for any act done in his official capacity under martial law. It can further validate any sentence passed or punishment inflicted during its operation.

Notwithstanding these limitations, Parliament is authorised to pass legislation to give effect to these rights and provide punishment for offences committed against it. Laws and punishments in force at present with regard to these matters will continue to be in force until altered or repealed by Parliament. The power to make these laws and prescribe punishment for offences is for the time being vested only in Parliament and not in the legislature of any State. This provision, Dr. Ambedkar explained, is necessary to make the fundamental rights and the punishment for their breach uniform throughout India.

5. DIRECTIVE PRINCIPLES OF STATE POLICY

The chapter dealing with directive principles of State policy is a unique feature of our Constitution. Its inclusion was found necessary in the context of the Indian situation and the only parallel that can be cited in this respect is the Constitution of the Republic of Ireland. This chapter gives certain directions to the future legislature and the executive, showing the purpose for which they have to exercise their authority. They are meant to be codes of constitutional propriety which will govern the future government in relation to the people. These principles are meant to be an active and imperative basis of State policy.

The expression "State", however, has a dual meaning. As a collective entity, it represents the Government and Parliament of India and the Government and the legislature of each State. In a distributive sense it implies even the village panchayats, district boards and other local bodies.

Towards Economic Democracy

To make democracy real and effective, one of the directive principles enjoins that it must be accompanied by economic democracy. This means "one man, one value", although the Constitution does not prescribe any specific method to achieve this goal. What it does direct, however, is that every Government, whether at the Centre or in the States, should strive to bring about economic

democracy. As Dr. Ambedkar put it, "it enjoins that however adverse the circumstances may be, the Government should always endeavour to achieve this principle".

Among certain economic rights and principles of social security which the Constitution specifically intends the State to secure for its teeming millions are:

- (1) adequate means of livelihood,
- (2) fair distribution of wealth,
- (3) equal pay for equal work,
- (4) prevention of exploitation of child and adult labour,
- (5) the right to work,
- (6) to receive education including free and compulsory education for all children up to the age of 14,
- (7) public assistance in case of unemployment, old age, sickness, disability and other cases of undeserved want,
- (8) the right to a living wage,
- (9) conditions of work assuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities, and
- (10) raising the level of nutrition and the standard of living of its people and the improvement of public health.

A special emphasis is laid on the promotion of educational and economic interests of the Scheduled Castes and the Scheduled Tribes and other less backward sections of the community.

The directives also incorporate other important subjects for which the progressive people in this country have been asking for a long time. Some of these are:

- (1) the organisation of the village panchayats,
- (2) a uniform civil code for all citizens,
- (3) prohibition,
- (4) organisation of agricultural and animal husbandry,
- (5) prohibition of the slaughter of useful cattle, especially milch and draught cattle and their young,
- (6) the protection, preservation and maintenance of monuments and places and objects of national and historical importance, and
- (7) the separation of the judiciary from the executive.

Consistent with the high moral traditions of the country and her yearning for world peace, the directives also provide that the foreign policy of India should promote national peace and security, maintain just and honourable relations between nations, foster respect for international law and treaty obligations in the dealings of organised peoples with one another, and encourage the settlement of

international disputes by arbitration.

6. THE INDIAN UNION

India, also known by its ancient name BHARAT, has been described in the Indian Constitution as a Union of States. The name implies the indestructible nature of its unity. No unit can thus secede from the Union. The country "is an integral whole, its people a single people living under a single imperium, derived from a single source", despite the different units, or 'States' as they are called, into which it is divided for administrative convenience. The States include twenty-seven units specified in Parts A, B and C of the First Schedule.

These States include the Governors' Provinces after the merger of the States, the States Unions, the Centrally administered States, the Chief Commissioners' Provinces, and other Indian States. The multiplicity of units was a legacy of the British regime. By a process of integration and unionisation, however, homogeneity has emerged from a congeries of Indian States, whose constitution and administration presented a baffling variety. Some princely States which at the time of the lapse of paramountcy presented a potential threat to the unity of the country have either merged into the adjoining Provinces or have been integrated into compact units of the Indian Union. Unlike the Indian Federation of 1935 Act, "which proposed a marriage between autocracy and democracy", the Indian Union under the new democratic Constitution symbolises the union of equals and compatibles.

Redistribution of Units

The authority to admit and establish the new States as well as to alter the areas and boundaries or names of the existing States is vested in Parliament, viz., the Central Legislature. In this matter, the President will ascertain the views of the legislature of the State or each of the States concerned. Law which contemplates a change in the boundaries of the Union will not be considered an amendment to the Constitution. This provision is intended to facilitate the shaping of rational administrative units.

Federation

India has all the characteristics of a federation. It has, for instance, (i) a written constitution, (ii) a clear demarcation of powers between the States and the Centre, and (iii) the existence of a competent and independent Supreme Court to settle disputes between the Centre and the constituent units. The Constitution is federal in the sense that it establishes a dual polity with the "Union at the Centre and the States at the periphery, each endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution". The proposed Union is not a league of States, nor are the States the agencies of the Union deriving their powers from it. In this respect it conforms to the American,

Canadian and Australian patterns, and differs from the unitary Constitution of the United Kingdom.

Special Features

The Indian Federation, however, differs from the other federations in many vital respects. In the U.S.A. there is dual citizenship; each State has the right to grant its citizens or residents a number of rights which it may deny or grant on more difficult terms to non-residents. As opposed to this the Indian Constitution envisages a dual polity with one citizenship and no separate citizenship for the States. Indians, no matter where they reside, are all equal in the eyes of the law. The States in America have the right to make their own constitutions. In India no such power is given to the units. There is only one constitution applicable to all and one constituent authority. Article 238 is an exception and deals with some features peculiar to the princely States, and the conditions arising out of an agreement between them and the Government of India. Except in the transitory period, the constitutional relationship of the States with the Centre and their internal structure is on a par with the Provinces.

In some federations the duality of polity involves a duality of legislature, executive, judiciary and services. This duplication tends to produce a diversity in law, administration and judiciary. Some diversity may be desirable to cope with local needs and circumstances, but beyond a particular point it only causes confusion and chaos. A modern constitution must provide for uniformity in all basic matters. Legislative and administrative unity is envisaged by the Indian Constitution by means of (1) single judiciary, (2) uniformity in fundamental civil and criminal laws, and (3) common all-India civil services.

The High Courts and the Supreme Court form a single integrated judiciary. They have jurisdiction over cases arising under various laws—constitutional, civil and criminal. The Codes of Civil and Criminal Law are placed in the Concurrent List. Uniformity is thus preserved without impairing the federal system. Uniformity in administration is ensured by placing members of an all-India service in key-posts. Besides, the Constitution affords the Centre and the President ample scope for initiative in all matters of national importance.

Federal systems are generally rigid. It, therefore, becomes almost impossible to change them. The Indian Constitution, however, is unique in its federalism. It is at once unitary and federal according to circumstances. Normally it is meant to be federal, but in an emergency it can assume a unitary character.

The Constitution provides for a Concurrent List of forty-seven items. In this respect, it is said to follow the Australian example but goes a step further. To avoid the weakness of rigidity and legalism inherent in a federal polity, it vests Parliament with exclusive powers in as many as ninety-seven items. Even in normal times, there is provision to extend the Centre's legislative authority. The comparatively easy amending processes add further to the flexibility of the Indian Federation.

Relations between the Union and the States

Legislative. The Constitution distributes the items for legislation among three lists: (1) the Union List, (2) the States List, and (3) the Concurrent List. The respective jurisdictions of the Union and the States and their mutual relations are clearly defined. Measures enacted by the Union under the Concurrent List always have priority irrespective of corresponding State legislation. Like Canada and unlike America, the residuary power in India is vested in Parliament.

Except for States mentioned in Part C, normally the Centre cannot legislate on any matter included in the States List. Parliament can, however, do so (1) if the Council of States recommends that such legislation is in the national interest, (2) if two or more States mutually agree that this should be done, and (3) when it is required to do so to implement treaties or international conventions.

Administrative relations. The Constitution seeks to ensure harmony between the Union and the States. The executive authority of the State should be so exercised as to ensure compliance with Union legislation and its corresponding administrative directions. The Centre can also give directions to a State regarding the construction and maintenance of the means of communication of national or military importance.

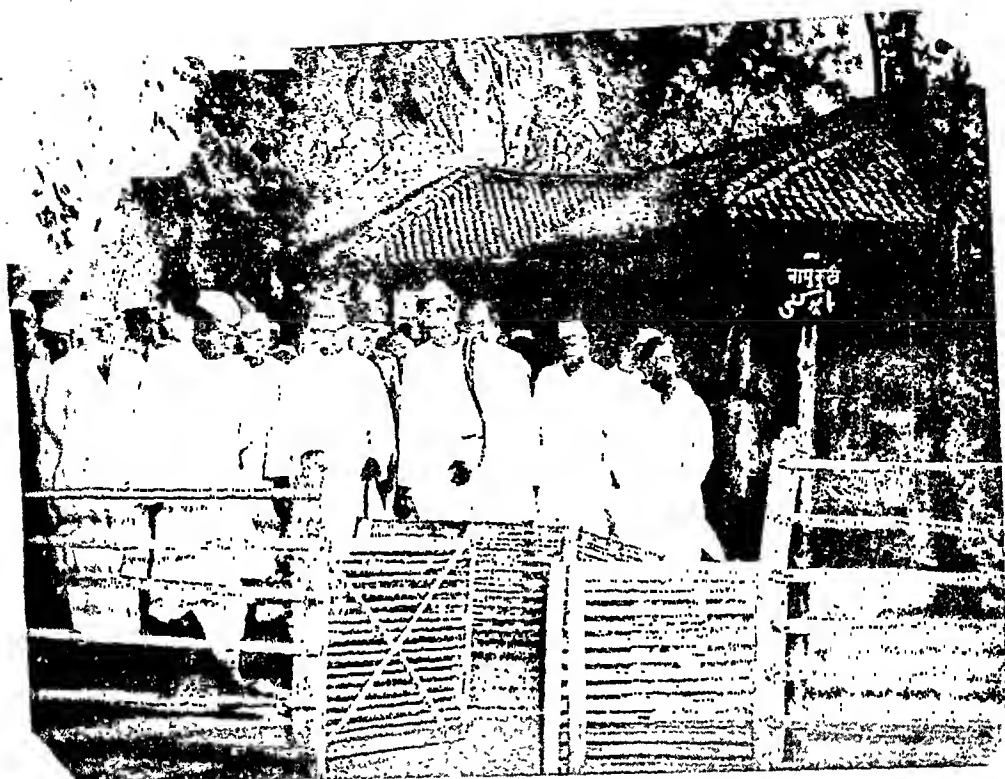
The President with the consent of Parliament and the Government of a State may confer powers or impose duties on State officers in respect of matters lying normally outside their jurisdiction. In such cases, the Centre bears the extra cost involved in the discharge of these duties.

Co-ordination between States. To promote inter-State co-ordination the President is authorised to appoint an inter-State Council. The function of the Council is:

- (a) to enquire into and advise upon the disputes between States; and
- (b) to explore possibilities of promoting interests which the Union and the States have in common.

Financial relations. Before partition revenue resources of the Provinces were inelastic. The new Constitution seeks to remove this defect. It lays down a broad scheme for the distribution of resources between the Centre and the States. But it leaves the task of detailed allocation to the Finance Commission to be brought into being within two years by the President.

Emergency powers. Among the Union Government's many onerous responsibilities, it has (i) to raise the standard of its administration and legislation to the level of the Directives, (ii) plan and co-ordinate the various social-service functions and nation-building activities of the units, and (iii) assure all citizens of equal enjoyment of the benefits of democracy conferred on the people. Furthermore, besides protecting every State against external aggression it has to safeguard internal security so that the government of every State is carried on in accordance with the provisions of this Constitution.



Dr. Rajendra Prasad at "Bapu Kutir", Sevagram, with Ravishankar Shukla and others



Dr. Rajendra Prasad with J.B. Kripalani

Thus in an emergency the Centre can issue any directive with respect to the exercise of its executive authority, and its jurisdiction, both legislative and executive, can be extended to cover the entire field of State jurisdiction. The provisions for the distribution of revenues between the Union and the States can also be modified by the President.

By issuing a proclamation the President may also authorise the Centre to assume either partial or complete control of a State, if the latter's administrative machinery breaks down.

The importance of emergency provisions need not be exaggerated. In normal times these measures will remain a dead letter. Even in an emergency, Parliament can control the President in the exercise of his powers.

7. THE EXECUTIVE AUTHORITY

Parliamentary Government

The Indian Constitution provides for a parliamentary form of government. Accordingly, the executive is individually and collectively responsible to the legislature in respect of all its functions and decisions and actions. The legislature controls the executive through legislation, questions, no-confidence motions as well as by controlling the purse. At general elections the common people are given an opportunity to give their verdict and elect a new Parliament.

This system of government differs vitally from that of the United States of America where the President is the real executive and the Cabinet is only his shadow. Under the Indian Constitution, however, "the President occupies the same position as the King under the English Constitution. He is the head of the State but not of the executive. He represents the nation but does not rule the nation. His place in the administration is that of a ceremonial device on a seal by which the nation's decisions are made known."

Election of the President. The President will be indirectly elected by an electoral college consisting of the elected members of both Houses of Parliament and the Legislatures of the States. The election will be by the method of proportional representation by means of a single transferable vote. The President being a nominal head, direct election was considered unnecessary. Moreover, it is difficult to provide a suitable electoral machinery for all the adult voters, that is, for about 188 million people.

In the presidential election, the number of votes each elected member of the legislature of a particular State can cast will be ascertained by a method which will be clear from the following example given in the Constitution:

The population of Bombay is 20,849,840. Let us take the total number of elected members in the Legislative Assembly of Bombay to be 208 (i.e., one member representing one lakh of the population). To obtain the number of

votes which each such elected member will be entitled to cast at the election of the President, we have first to divide 20,849,840 (which is the population) by 208 (which is the total number of elected members), and then to divide the quotient by 1,000. In this case, the quotient is 100,239. The number of votes which each such member will be entitled to cast would be $100,239/1,000$, i.e., 100 (disregarding the remainder 239 which is less than five hundred).

In the case of an elected member of either House of Parliament, i.e., the Central Legislature, he can cast such number of votes as may be obtained by dividing the total number of votes to be cast by all the elected members of the legislatures of the States by the total number of the elected members of both the Houses of Parliament.

Qualifications. The qualifications needed by the candidate for the office of the President are that he (1) should be a citizen of India; (2) must have completed the age of 35 years; and (3) is qualified for election as a member of the House of the People. A government servant, however, is ineligible for election as President.

Term of office. The term of office of the President is five years unless he resigns earlier or is removed from office by impeachment. The President is eligible for re-election. The President will have an official residence and draw a salary of Rs.10,000 per month. The salary cannot be reduced during his term of office. He is also entitled to the same privileges, including allowances, as the Governor-General before the commencement of the Constitution.

Protection. The august office of the President of the Indian Republic carries with it great dignity and legal privileges. The President is not answerable to any court for the exercise of the powers and duties of his office except in case of impeachment. No criminal proceedings can be instituted against him during his tenure of office. Nor can any civil proceedings be launched in which relief is claimed against him until two months' notice has been given to the President in writing.

Impeachment. The Indian Constitution provides for the impeachment of the President for "the violation of the Constitution". A motion to that effect might be initiated in either House of Parliament but must be passed in the form of a resolution by a two-thirds majority. Fourteen days' notice, signed by one-fourth of the total members of the House, must be given in advance, while the charges must be investigated by a House other than the one framing them. If a resolution is passed the President is forthwith removed from office.

Powers. The Constitution vests all executive authority of the Union, including the supreme command of the Defence Forces of India and the power to grant pardon and to remit punishment or to commute the sentence of any convict in certain cases, in the President. All important appointments are to be made by him, including those of the Governors, Diplomats, Judges of the Supreme and High Courts, the Chairman and Members of the Federal Public Service Commission, the Attorney-General of India and the Comptroller and Auditor-

General of India. He will also appoint the Election Commission, the Finance Commission and the Commissions which will report on the administration of the scheduled areas and will investigate the condition of socially and educationally backward classes.

The legislative authority of the President extends to issuing ordinances during the recess of Parliament. He will make regulations for the peace and good government of the scheduled areas. He will send bills to Parliament for reconsideration, dissolve the House of the People, convene the joint sessions of both the Houses and address or send messages to one or both of them. In financial matters no money can be granted unless it is recommended by the President, nor can the money bills be introduced except on his recommendation.

Emergency powers. As in the case of the Weimar Constitution of Germany, the Indian Constitution gives wide powers to the President in an emergency. It contemplates three types of emergencies and correspondingly three kinds of promulgations which the President can make.

Emergency caused by war or internal disturbances. If a grave emergency exists which threatens the security of India or any part of her territory by reason of war or external aggression or internal disturbances, he may declare an emergency. Sometimes this declaration may be made in anticipation of war or aggression or civil commotion.

The authority of the President, however, is always subject to the authority of Parliament. Such a proclamation must be made before each House of Parliament. It will cease to be valid at the end of two months unless otherwise decided by both the Houses of Parliament. Even so it can operate only for 6 months and may not be extended beyond 3 years. In the event of an emergency the jurisdiction of the Centre can supersede the legislative powers of the State. The President can either for a short period or for the whole period of the emergency suspend the right of the individual to move the courts to enforce fundamental rights. At the same time the President has the right to modify the normal allocation of the country's financial resources for the financial year.

Failure of the constitutional 'machinery in States. If the President is satisfied (on reports received) that the government of a State cannot be carried on in accordance with the provisions of the Constitution, he can issue a proclamation to that effect. He can then himself assume all the functions of the Government of the State including the powers of the Governor or the Rajpramukh. He can also declare that Parliament would exercise the powers of the State legislature. He can also suspend any part of the Constitution relating to any body or authority in the State. The only exception is that he cannot assume any of the powers vested in or exercisable by the High Court. Nor can he suspend the operation of any provisions of the Constitution relating to that Court.

As regards legislative powers, Parliament can delegate the power to make laws for the State to the President or any authority specified by him. The President, however, cannot promulgate ordinances for the States when both the Houses of Parliament are in session. If the House of the People is not in session,

expenditure from the Consolidated Fund of the State can be authorised by him pending action by Parliament.

Financial emergency. If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or any of its territories is threatened, he can declare a financial emergency. In such an event he can issue necessary directions, including suggestions for the reduction of salaries and allowances of public servants belonging to the Union or the States. All money bills passed by the States' legislatures are also subject to the consideration of the President.

The procedure and duration of emergencies in the last two cases is the same as in the case of the first declaration.

Although the President has all these formal powers, it does not follow that he will exercise them in an arbitrary manner. He is the titular head of the Republic. The real head of the executive will be the Prime Minister and the Cabinet, i.e., the Council of Ministers will be the executive organ. The Indian Constitution ensures the leadership and dominance of the Cabinet and leaves it to Parliament, the courts and the people to keep a check on its action.

Although there is no specific provision that the President is to act on the advice of the Ministers, the relationship between the President and the Council of Ministers will probably be governed by a Convention. In this matter the Indian Constitution will follow the British procedure.

The Vice-President. The Constitution provides for a Vice-President of India, who is an ex-officio Chairman of the Council of States. In this respect, his office corresponds to that of the Vice-President of the U.S.A. If the President is ill, if he resigns or dies or is removed or is for any reason absent, the Vice-President shall officiate as President. But unlike the American Vice-President he does not automatically become the President for the rest of the term when the latter resigns or dies.

Election. The Vice-President is elected in a joint meeting of both the Houses of Parliament according to proportional representation by the single transferable vote. Any citizen of India aged 35 years qualified for membership of the Council of States is eligible for the office. The Vice-President may be removed from his office for incapacity or want of confidence.

Council of Ministers. The Constitution provides that there shall be a Council of Ministers with the Prime Minister at the head, to aid and advise the President in the exercise of his functions. The leadership of the Prime Minister is explicitly recognised. It is laid down that while the Prime Minister shall be appointed by the President, the other Ministers shall be appointed by the President on the advice of the Prime Minister. It is the Prime Minister who is the link between the Cabinet and the President. It is for him to communicate to the President all decisions of the Cabinet relating to the administration and legislative affairs of the Union and to furnish to him all other information that would be sought by him. The President is, however, authorised to submit for consideration of the Council of Ministers any matter on which a decision has been taken by a Minister

and which still awaits consideration by the Council.

The Ministers hold office during the pleasure of the President, but this provision is coupled with another which stipulates their collective responsibility to the House of the People. This means that "a Minister would be liable to removal on two grounds, namely, want of confidence and impurity of administration." The Ministers are required to take the oaths of office and secrecy and draw such salaries as were paid to them before the commencement of the Constitution.

8. ADULT FRANCHISE AND NEW PARLIAMENT

One of the outstanding features of the Indian Constitution relates to adult franchise. It lays down that "the election of the House of the People shall be on the basis of adult suffrage; that is to say, every citizen who is not less than twenty-one years of age and is not otherwise disqualified under this Constitution or under any Act of Parliament on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice shall be entitled to be registered as a voter at such elections". This provision which is characterised by some as the "fountain spring of democracy" entitles every adult in India, male or female, a share in the Government and casts on 160 million people the mantle of political masters.

Dr. Rajendra Prasad has observed:

We have provided for adult suffrage by which the Legislative Assemblies in the Provinces and the House of the People in the Centre will be elected. It is a very big step that we have taken. It is big not only because our present electorate is a very much smaller electorate and based very largely on property qualification, but it is also big because it involves tremendous numbers. Our population now is something like 320 millions if not more, and we have found from experience gained during the enrolment of voters that has been going on in the Provinces that 50 per cent roughly represent the adult population. And on that basis we shall have not less than 160 million voters on our rolls. The work of organising election by such vast numbers is of tremendous magnitude and there is no other country where election on such a large scale has yet been held.

The Legislative Assemblies in the Provinces, it is roughly calculated, will have more than 3,800 members who will have to be elected in as many constituencies or perhaps a few less. Then there will be something like 500 members for the House of the People and about 220 members for the Council of States. We shall thus have to provide for the election of more than 4,500 members and the country will have to be divided into something like 4,000 constituencies or so. I was the other day, as a matter of amusement, calculating what our electoral roll will look like. If you print 40 names on a page of foolscap size, we shall require something like 20 lakhs of sheets of foolscap size to print all the names of the voters and if you

combine the whole thing in one volume the thickness of the volume will be something like 200 yards. That alone gives us some idea of the vastness of the task and the work involved in finalising the rolls, delimiting constituencies, fixing polling stations and making other arrangements which will have to be done between now and the winter of 1950-51 when it is hoped the elections may be held.

The Constitution sweeps away all the antiquated and undemocratic qualifications—property, income, status, titles, literacy, etc., which under the Act of 1919 debarred 97 per cent and under the 1935 Act 90 per cent of the people of India from exercising their elementary right of citizenship, the right of voting. The Constitution removes the notorious system of communal electorates which had broken up the Indian society into statutorily communal compartments. Citizens in India will now vote as individuals and not as Hindus, Muslims or Christians. There shall be one general electoral roll for every territorial constituency and no person shall be ineligible on grounds of religion, race, caste, or sex.

Parliament

In the Indian Constitution the Central Legislature is called Parliament. It consists of the President and the two Houses to be known respectively as the Council of States and the House of the People. The President is an integral part of Parliament. All bills passed by the two Houses must have his formal assent and all acts will be enforced and promulgated by him.

Council of States. Like other federal constitutions, the Indian Constitution also envisages a bicameral system. The Council of States, as its name implies, will include representatives from the States, the constituent units of the Indian Union. It is a permanent body, one-third of its members retiring every second year. Its maximum strength is 250, and corresponds to one-half of the House of the People. Out of these, 12 members will be nominated by the President from amongst well-known personalities in the realm of arts and letters, science and social services. The rest will be representatives of the States. According to the Fourth Schedule which relates to the allocation of seats to the States, the States specified in Part A will have 145 representatives, while the States in Parts B and C 53 and 7 respectively.

Elections for the Council of States will be indirect. In other words, the representatives of the States specified in Parts A and B will not be elected directly by the people. Instead, they will be elected by an electoral college consisting of the elected members of the Legislative Assembly of a State. Elections will be by the system of proportional representation and the single transferable vote. According to this system, a voter votes for only one candidate; but he may indicate the sequence of candidates for whom he would like to have his vote considered. By this arrangement, he is reasonably assured that his vote will not be wasted. As

regards the States mentioned in Part C, the Constitution leaves the method of selection to be determined by Parliament.

House of the People. The maximum strength of the House of the People is fixed at 500 members, directly elected by the voters in the States. Provision has been made for the reservation of seats for the Scheduled Castes and Scheduled Tribes. Members of the Anglo-Indian community can also be nominated by the President to the House of the People.

Normally the life of the House is five years unless it is dissolved earlier. During an emergency its life can be prolonged by one year at a time. It cannot, however, continue beyond a period of six months after the proclamation has ceased to operate.

Constituencies. For the purpose of election the States are to be divided into territorial constituencies "and the number of representatives to be allotted to each such constituency shall be so determined as to ensure that there shall be not less than one representative for every 750,000 of the population and not more than one representative for every 500,000 of the population". The overall condition is that the ratio between the number of representatives allotted to a constituency and its total population (as ascertained at the last preceding census) must be uniform throughout India.

Fair elections. To ensure fair elections an independent Election Commission will be appointed. It will be responsible for the preparation of electoral rolls and the conduct of elections. To that end an independent status is assured to the Chief Election Commissioner.

Sessions. The Constitution stipulates that both the Houses should meet at least twice every year and that not more than six months should elapse between the two sessions. This ensures regular sessions of the legislature. It also safeguards against any attempt on the part of the Executive to keep off the legislature for a long time.

The quorum prescribed is ten per cent of the total membership of the House. All the decisions are to be carried out by a majority of the members present and voting. The Speaker is given only a casting vote. The presiding officers of the Upper House are called the Chairman and the Deputy Chairman. The corresponding officers of the House of the People are the Speaker and the Deputy Speaker.

Qualifications for membership. The qualifications for a member of Parliament are that he

1. should be a citizen of India;
2. should not be less than 30 years of age in the case of the Council of States and not less than 25 years in the case of the House of the People; and
3. possesses such other qualifications as may be laid down by Parliament.

Disqualifications for membership. A person is disqualified for being a member of Parliament if he

- (a) holds any office of profit under any Government in India;
- (b) is of unsound mind;
- (c) voluntarily acquires the citizenship of a foreign State; and
- (d) is so disqualified by or under any law made by Parliament.

All disputes concerning membership are to be referred to the President for decision. He is, however, required to act in these cases on the opinion of the Election Commission.

Privileges. The Constitution assures the members freedom of speech in Parliament. This freedom is, however, subject to the provision of the Constitution and the rules and standing orders of Parliament. The legislators are also granted immunity from penal action for any speech made or vote given by them either before the House or any of its committees. This relief also covers the publication of the proceedings of the House. Until defined by Parliament, other powers, privileges and immunities of the members of the House are those of the House of Commons of the United Kingdom.

Legislative procedure. Although there is bicameral legislature at the Centre, the Constitution safeguards the ultimate supremacy of the Lower House in all matters of legislation. In financial affairs, its authority is final and supreme. The detailed rules of procedure are to be framed by each House of Parliament. The Constitution only lays down the broad outlines of the procedure. Among others, it provides that bills other than the money bills can be introduced in either House. The money bills must be initiated in the Lower House.

Procedure regarding ordinary bills. The non-money bills must be passed by both Houses. But in case of a deadlock between the two Houses, the President can summon them to meet at a joint sitting. At such joint meetings the decisions are taken by a majority of total members of both the Houses present and voting. A bill so adopted is deemed to have been passed by both the Houses.

Procedure regarding money bills. A money bill, after its passage from the House of the People, is sent to the Council of States which must return it with its recommendations within a fortnight. The House of the People may accept or reject them. The bill as finally adopted by the House of the People is considered to have been adopted by both Houses.

Annual financial statement. Under the Constitution, the President is to arrange to lay before both Houses of Parliament a statement of the estimated receipts and expenditure of the Government of India. This is called the "Annual Financial Statement". It shows the sums to be charged to the Consolidated Fund of India, that is, the Central purse, and the sums required to meet other expenditure. The former category of expenditure is non-votable while the latter is votable.

Financial procedure. Parliament has an opportunity to exercise effective control over the finances of the Government of India. Votable estimates are to be submitted directly to the House of the People. The Council of States does not come into the picture. The House of the People can assent to or refuse or reduce

the grant. All demands for grants are made on the recommendations of the President.

After the demand for grants follows the appropriation bill, which seeks to appropriate from the Consolidated Fund of India money required to meet the grants made by the House of the People and the expenditure charged to the Consolidated Fund of India. The procedure adopted follows that of Great Britain, Canada, Australia and South Africa. No amendment is permissible, if it has the effect of varying the amount or altering the destination of any grant or reducing the amount of any expenditure charged to the Consolidated Fund of India. It is further provided that all money from the Consolidated Fund should be withdrawn in conformity with the provisions of the Appropriation Act.

The taxation proposals of the Government and other relevant matters take the shape of a Finance Bill. The Finance Bill is initiated on the recommendation of the President and is introduced in the House of the People.

Other grants. The House of the People is given authority to make any grant in advance pending the completion of the procedure. This is known as votes on account. This procedure will enable the House to devote more time to the discussion of the budget. It will no longer be necessary for the House to vote on all demands for grants by the end of the financial year.

The House of the People can also sanction votes of credit and exceptional grants. The Constitution provides for the grant of supplementary, additional or excess grants and till they are made by the House of the People, the President can make advances out of the Contingency Fund.

9. THE GOVERNMENT OF THE STATES

The Executive

The governmental machinery of the States (mentioned in Parts A and B of the First Schedule) closely resembles that of the Union. The executive authority is vested in the Governor. He is to exercise it either directly or through the officers subordinate to him (in accordance with the Constitution). This, however, does not prevent Parliament or the Legislature of the State from conferring functions on any of his subordinate authority.

The Governor is appointed by the President by warrant under his own hand and seal. He holds office at the pleasure of the latter. His tenure of office is 5 years unless he resigns early. Only Indian citizens who have attained the age of 35 and are not members of the Central or State Legislature are eligible for appointment to this office. If a person is a member of any legislature at the time of appointment, his seat shall be deemed to have fallen vacant from the same date. Like the Governor-General, he too is required to take an oath or make an affirmation before he enters upon his office.

Besides a free official residence, the Governor of a State will draw a salary of Rs.5,500 per mensem and such other allowances and privileges as were drawn by

the Governor of a Province.

Powers. The Governor appoints the Chief Minister and on his advice the other Ministers. He also appoints the Advocate-General. He can make rules for the transaction of business of the Government of the State. He enjoys the power to grant pardon or suspend or remit or commute sentences in certain cases. He convenes or prorogues sessions of either House of the State Legislature, dissolves the Legislative Assembly, gives assent to a bill or reserves it for further consideration of the President. He can send back a bill for the reconsideration of the Legislature, communicate messages to or address the Houses. Like the President he is empowered to promulgate ordinances during the recess of the Legislature. No money bill can be introduced in the House nor any demand for grant be made except on his recommendation.

As at the Centre, there will be a Council of Ministers with the Chief Minister to aid and advise the Governor in the exercise of his functions except in so far as he is required to exercise his function in his discretion. For the States also the Constitution contemplates the Cabinet system. But in order to furnish all necessary information to the Governor and to enable him to exercise better his authority as the Head of the State, the Chief Minister is directed (1) to submit to the former all decisions of the Council of Ministers relating to the administration of the affairs of the State and proposals for legislation, (2) to supply such information relating to the administration of the affairs of the State and proposals for legislation as the Governor may call for, and (3) if the Governor so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council. In Bihar, C.P. & Berar, and Orissa, the Constitution stipulates a minister-in-charge for tribal welfare.

Like the Lieutenant-Governors in Canada and the Governors under the Government of India Act, 1935, the Governors of the States under the new Constitution will be required to see that the necessary orders and directions of the Central Government are carried out by the Governments of the States. The President can make provision for the discharge of the functions of the Governor of a State in any contingency not provided for in the Constitution.

In States as mentioned in Part B. The Heads of the States (mentioned in Part B of the First Schedule) are known as Rajpramukhs recognised as such by the President. They were appointed in accordance with the agreements made between the States Unions and the Government of India. In Jammu & Kashmir and Hyderabad, however, the present rulers continue as the heads. Their salaries are also fixed under those agreements. Besides a free official residence, they are entitled to such other allowances and privileges as the President may determine.

The executive authority of these States is vested in the Rajpramukh. There is a Council of Ministers to aid and advise him. In the transitory period, i.e., till such time as the properly constituted legislatures and the cabinets come into being, the members of the Council of Ministers are to be appointed by the Rajpramukhs. As most of these States had so far no responsible form of government, their

transition to a representative form of government cannot, of course, be very quick. The Constitution, therefore provides that for 10 years, or such other period as may be prescribed by Parliament, the Governments of these States shall function under the general control of the Government of India. They are directed to comply with all instructions which the President may issue from time to time. Failure on the part of the State's Government to comply with the directions given by the President would be considered as failure to carry out the government of the State in accordance with the provisions of the Constitution.

The State of Jammu & Kashmir stands on a different footing. Here the jurisdiction of the Centre is limited to those matters in the Union and the Concurrent Lists, which, in consultation with the Government of the State, are declared by the President as compatible with the terms of the Instrument of Accession. It can also extend to such other matters in the Lists as may be mutually agreed to by the Government of the State and the Government of India.

In States specified in Part C. The States specified in Part C, being Centrally administered areas, are administered by the President through a Chief Commissioner or a Lieutenant-Governor, appointed by him. These States can also be administered through the Government of a neighbouring State. In that case, however, the President has to consult the Government of the neighbouring State and elicit the opinion of the people of the State concerned.

Parliament can provide for a Council of Advisers or a Council of Ministers for these States. It would also lay down their constitution, powers and functions. The Constitution as it applies to these States is a flexible arrangement meant gradually to introduce responsible government.

The State Legislature

Like the Centre, a State Legislature will consist of the Governor and the legislative chamber or chambers of the State. The States of Madras, Bombay, the United Provinces, Punjab, West Bengal and Bihar will have a bicameral legislature comprising the Legislative Assembly and the Legislative Council and the rest of the States a unicameral legislature called the Legislative Assembly. The bicameral system has been adopted on an experimental basis. For that purpose Parliament is authorised to abolish the Legislative Council of a State or create it in another State, if the Legislative Assembly of the State concerned passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting. The law giving effect to this resolution shall not be treated as an amendment of the Constitution.

Legislative Assembly. The Legislative Assembly of a State shall continue for five years unless it is dissolved earlier. Like the Central Assembly its duration can be extended in an emergency for a period not exceeding one year at a time. It must, however, be dissolved within six months after the Proclamation has ceased to operate. The Legislative Assembly of a State is to be elected on the basis of

adult franchise. The total number of its members shall not be more than 500 and less than 60. The actual strength is to be determined on the ratio of one to every 75,000 of the population of that State. The exceptions are the autonomous districts of Assam and the constituency comprising the cantonment and municipality of Shillong where, in view of the small population, the proportion cannot be maintained. The population of a State is to be ascertained on the basis of the published figures of the last census. There will be no reservation of seats except for the Scheduled Tribes and Scheduled Castes. The Governor can also nominate members of the Anglo-Indian community to the Assembly if he is convinced that the community needs representation or that it is not adequately represented.

The qualifications for a member of the Legislative Assembly are that he should be (1) a citizen of India, (2) not less than 25 years of age, and (3) possess such other qualifications as may be prescribed by Parliament.

Legislative Council. The Legislative Council of a State shall comprise not less than 40 members and not more than one-fourth of the total membership of the Assembly of that State. It has a diverse personnel. Nearly one-third of its members are to be elected by electorates consisting of the members of municipalities, district boards, and such other local authorities in the State as Parliament may specify. About one-twelfth shall be elected by electorates comprising graduates of three years' standing in the State. Another one-twelfth shall be elected by teachers who have served for at least 3 years in an educational institution within the State not lower in standard than that of a secondary school. One-third shall be elected by members of the Legislative Assembly from amongst persons who are not members of the Assembly. The remainder shall be nominated by the Governor. They will include persons who have special knowledge or practical experience in literature, science, art, cooperative movements and social services.

The Legislative Council of a State is a permanent body with one-third of its members retiring every second year. The minimum age limit of a member of the Legislative Council is 30 years. Other qualifications are the same as that of the members of the Legislative Assembly.

Other provisions. The provisions relating to sessions, officers of the State Legislature, voting in Houses, disqualification of members, vacating of seats, privileges, legislative and financial procedure, etc., are, except for minor variations, the same as in Parliament. One of the fundamental differences, however, is that there is no provision for a joint sitting of the two Houses of the State Legislature for resolving differences on a bill. In the case of a State Legislature the revised decision of the Lower House, subject to certain conditions, will prevail.

In States specified in Part C. The Constitution also envisages legislative bodies for the States mentioned in Part C of the First Schedule. Parliament may create a body, whether nominated or partly elected, to function as a legislature for these States.

10. THE THREE SAFEGUARDS

The Judiciary

A well-integrated, competent and independent judiciary is the sentinel of democracy. It safeguards the rights and liberties of the people. In a federal structure it is also the guardian of the Constitution. For it is only through the judiciary that the powers of the different organs are kept under control. In addition to a directive, the Indian Constitution has, therefore, sought to adopt special provisions to give an independent status to the judiciary.

Supreme Court. At the apex of the Indian Judiciary stands the Supreme Court. Normally it would consist of a Chief Justice and seven other judges. The Privy Council now ceases to be the highest tribunal of the land. In the method of appointment, the Indian Constitution follows a middle course. It does not give absolute discretion to the executive, a method in vogue in Great Britain. Nor does it imitate the American system, in which the President appoints the judges with the concurrence of the Senate. The latter, however, is open to unwholesome political influences. Thus in the appointment of judges, the Constitution stipulates adequate consultation with the judicial authorities. In the case of the appointment of the Chief Justice of India, the President must consult such judges of the Supreme Court and the High Courts as he may deem necessary. On the other hand, for the selection of the other judges of the Supreme Court, he is required only to take the Chief Justice into confidence.

Tenure. In order to attract the best legal talents in the country, any judge of the High Court of at least 5 years' standing or an advocate of a High Court with 10 years' practice or a distinguished jurist is eligible to become a judge of the Supreme Court. Security of tenure is guaranteed to every judge. He holds office till he is 65 years old. A judge can be removed on the ground of proved misbehaviour or incapacity. The President can remove him only when an address has been presented against him by each House of Parliament. This must be supported by a majority of not less than two-thirds of the members of that House present and voting.

To ensure impartiality and integrity of the judges, the Constitution debars them from pleading or acting in any court or before any judicial authority in India. This procedure corresponds to the restrictions imposed on the future employment of the members of the Public Service Commissions. The terms of service of the judges include free accommodation for the Chief Justice and the other judges who draw a monthly salary of Rs.5,000 and Rs.4,000 respectively. The privileges, rights and allowances to which they are entitled cannot be altered to their disadvantage once they are appointed.

If a sufficient number of competent judges are not forthcoming, both ad hoc and retired judges may be appointed under the Constitution. Ad hoc judges can be appointed when the Supreme Court is short of judges. For that purpose, the Chief Justice may (with the consent of the President) appoint any eligible judge

of the High Court for short periods. Similarly retired judges can be recruited by the Chief Justice. They will not, however, be deemed full-fledged judges of the court, although they will enjoy all their jurisdictional powers and privileges. The President can also appoint one of the judges of the Supreme Court as Acting Chief Justice in the absence of the original incumbent.

Seat. The Supreme Court will ordinarily sit at Delhi. It may also meet at such other place or places as the Chief Justice of India may from time to time decide with the approval of the President.

Jurisdiction. The Supreme Court, under the new Constitution, enjoys wider powers than the High Court in any federation of the world, including the Supreme Court of America. As a court of record, it has all the powers of such a court, including the power to punish for contempt of court. It is both a final interpreter of the Constitution and a final court of civil appeal. In criminal matters, it can grant special leave of appeal and is armed with criminal appellate jurisdiction in certain specified cases.

Original jurisdiction. The original jurisdiction of the Supreme Court relates to constitutional disputes arising either between the State and the Government of India, or between the States themselves. Those disputes which arise out of the provision of treaties with the Indian States are outside this jurisdiction.

Appellate jurisdiction. The Appellate jurisdiction of the Supreme Court is threefold: constitutional, civil, and criminal. In constitutional matters, an appeal would arise if the High Court certifies that a case involves a substantial question of law. The Supreme Court, however, can itself grant special leave if it is satisfied that the case does involve such an issue. In civil cases, an appeal would generally go to the Supreme Court, if the High Court certifies that the amount of the claim involved is not less than Rs.20,000. In criminal matters, the appellate jurisdiction comprises cases where a High Court has (1) on appeal reversed the order of acquittal of an accused person and sentenced him to death; or (2) withdrawn from trial before itself any case from any court subordinate to its authority and has in such trial convicted the accused person and sentenced him to death; or (3) certified that the case is a fit one for appeal to the Supreme Court.

The jurisdiction in criminal cases can be extended by Parliament subject to such conditions and limitations as may be specified by it.

Other jurisdiction. The Supreme Court also inherits the jurisdiction and powers of the Federal Court with respect to matters not specified. Further, it is authorised to grant special leave to appeal against the judgement of any court or tribunal in the country except those relating to the Armed Forces. Moreover, its jurisdiction can be extended by Parliament in several other ways.

Advisory functions. The Supreme Court has also certain advisory functions. The President can refer to it any question of law or fact of public importance. Under this jurisdiction even those disputes which involve interpretation of treaties or agreements of the former Indian States can be referred to it, although ordinarily the Court has no original jurisdiction over them.

Procedure. The Supreme Court will have powers to make rules for regulating

its practice and procedure subject to the approval of the President and provisions of law made by Parliament. The Supreme Court will deliver all its judgements in public with the concurrence of a majority of the judges present. But in case a judge differs from his colleagues, he can deliver a dissenting judgement.

Authority binding on all courts. As the highest court of the country, the law declared by the Supreme Court will be binding on all courts in India. Subject to the provisions of any law to be made by Parliament, the Supreme Court is also given the power to review its own judgements.

Independence of the Supreme Court. In order to ensure the independence of the Supreme Court, the Chief Justice of India, or such other judge or officer as he may direct, is given the authority to recruit its staff and frame rules regarding their conditions of service. To secure the same end, the administrative expenses of the Supreme Court, including salaries, allowances and pensions payable to its officers, are charged to the Consolidated Fund of India and all fees and other income of the Court are deemed part of that Fund.

High Courts. The Constitution envisages one High Court for each State. The actual number of judges, including the Chief Justice, will be determined by the President. The appointment of the judges will be made by the President after consultation with the Chief Justice of India and the Governor of the State. In the case of the appointment of a judge other than the Chief Justice, the Chief Justice of the High Court concerned will be consulted. A judge will ordinarily hold office till the age of 65 years. The qualifications prescribed for the judge of a High Court are a little different from those of a Judge of the Supreme Court. Any citizen of India who has either held a judicial office for 10 years or has been for 10 years an advocate of a High Court is eligible for the office.

As regards the salaries and allowances, the Constitution provides that the Chief Justice of a High Court will draw Rs.4,000 and a Judge Rs.3,500 per month and such other allowances as may be fixed by the President from time to time. Like his colleagues in the Supreme Court, his emoluments and conditions of service cannot be changed to his disadvantage during his tenure of office. The provisions regarding the appointments of the Acting Chief Justice and the retired judges are similar to those applicable to the Supreme Court.

The provisions relating to the High Court are based on those of the Government of India Act of 1935. Subject to the provision of the Constitution, and to the provisions of any law made by an appropriate legislature, the High Courts in the States retain their present jurisdiction and powers. The limitations on their original jurisdiction with respect to revenue affairs and acts done in their collection are removed. The High Courts are also given powers: (1) to issue writs for the enforcement of the fundamental rights; (2) of superintendence over civil courts and tribunals in the State; and (3) to transfer cases from subordinate courts to itself.

Only Parliament can add to or take away from the jurisdiction of the High Court of a State areas outside that State. The State Legislature is not competent to deal with the extra-statal jurisdiction.

Subordinate courts. According to the Constitution, the appointments, postings and promotions of District Judges will be made by the Governor in consultation with the High Court of the State. The requisite qualifications for this post are that a person should already be in the service of the Union, or a State, or that he should have been an advocate or a pleader for at least seven years and is recommended by the High Court for appointment. Judges other than the District Judges are to be appointed by the Governor in accordance with the rules to be made by him after consultation with the State Public Service Commission and the High Court. The control over districts and other subordinate courts, including the posting and promotion and grant of leave to these judges is vested in the High Court.

Public Services

The standard and efficiency of administration in any country depends ultimately on the calibre, training and integrity of the public services. The new Constitution, therefore, in providing the basic conditions of public service, tenure of office, rights, emoluments, privileges and the method of recruitment, seeks to attract men of vision, ability and honesty to man the administration of a welfare state. It guarantees equality of opportunity. An exception has been made in the case of the Scheduled Classes and Scheduled Tribes for whom, subject to the maintenance of efficiency in administration, a certain percentage of seats and posts may be reserved.

Public Service Commissions. Recruitment to the public services through a Public Service Commission is a well-recognised principle in democratic States. As this principle had already been put into practice the Constitution provides for a Public Service Commission for the Union and one for each State. But it also permits two or more States to have a joint Public Service Commission provided a resolution to that effect is passed by each House of the legislatures of the States concerned. In that case, Parliament will constitute by law a joint Commission to serve the needs of those States. The heads of the States can also approach the Union Public Service Commission for that purpose and the latter may accede to their request with the approval of the President.

The main function of the Union and the State Public Service Commissions is to recommend people for appointments and to conduct examinations for recruitment to the Central and State services. The Union Public Service Commission is also to assist, if so required by two or more States, in framing and operating schemes of joint recruitment for any services for which special qualifications are required. As guardians of the services, the Public Service Commissions are to be consulted on:

- (a) all matters relating to methods of recruitment to civil services and for civil posts;
- (b) the principles to be followed in making appointments to civil services and

posts, promotions and transfers from one service to another and the suitability of candidates for such appointments, promotions and transfers; and

- (c) all disciplinary matters affecting a person serving under the Government of India or the Government of a State in a civil capacity including memorials or petitions to that effect.

They are also to be consulted in matters of claims by public servants relating to costs incurred by them in defending legal proceedings instituted against them, as well as for the award of pensions in respect of injuries sustained while serving the Government. Besides, their advisory functions include such matters as may be referred to them by the President or the Governor or Rajpramukh. Only they will have nothing to do with posts reserved for members of the Scheduled Castes or Scheduled Tribes or any backward class of citizens in the Union or a State. In addition, the heads of the Union and the State can also provide by regulation that it will not be necessary to consult the Public Service Commission in certain matters in general, or in any particular class of case, or in any particular circumstances.

Personnel. The total number of the members in the Commissions is not laid down in the Constitution. The exact strength and the conditions of service are to be laid down by the respective heads of administration. The conditions of service cannot, however, be revised to the disadvantage of members after their appointment.

As the function of the Commission is to choose suitable personnel for public services it is essential for the members to have a certain amount of experience. The Constitution, therefore, provides that nearly one-half of the members of every Commission should have at least 10 years' administrative experience.

Term of office. The term of office of a member of a Public Service Commission, unless he resigns earlier, is fixed at six years or until he attains, in the case of the Union Commission, the age of 65 years and, in the case of a State Commission or a joint Commission, the age of 60 years, whichever is earlier.

Removal of members. The members of a Public Service Commission are liable to be removed by the President on evidence of misbehaviour, apart from automatic disqualifications resulting from insolvency, engagement in other employments, or infirmity of mind or body. The principle followed in this case is based on the provisions of the Government of India Act, 1935, for the removal of the High Court and the Federal Court judges. Accordingly, the Constitution provides for an enquiry by the Supreme Court and it is on the basis of this enquiry that the President will take action against the member.

Eligibility for further employment. In order to ensure the integrity and impartiality of the members of the Commissions, their eligibility for further employment under any Government is prohibited. Another step taken to ensure the independence of the Commissions is to charge their expenses, including salaries, allowances, pensions, etc., to the Consolidated Funds. In other words,

the emoluments of members of the Public Service Commissions are declared non-votable and so their tenure is not subject to the vicissitudes of political parties or the favourable disposition of Ministries.

It is further provided that the regulations made by the President, Governors or Rajpramukhs for the respective Commissions are to be laid before each House of their legislatures and kept there for not less than 14 days, when they may be amended by the latter. To prevent tampering with the recommendations of the Public Service Commissions, the Constitution ordains that the Public Service Commissions shall present annual reports to the heads of Governments covering the work done by them during the year. The Governments in their turn shall place before each House of the legislatures a copy thereof together with a memorandum explaining the cases, if any, in which the advice of the Commission was not accepted. The Ministries will thus be answerable for all deviations from the recommendations of the Public Service Commissions. In this way recognition of merit will be assured.

Comptroller and Auditor-General of India

The Comptroller and Auditor-General of India will keep a vigilant watch on the finances and accounts of the Union and the States. He is appointed by the President and enjoys an independent status as a judge. He scrutinises the accounts and reports on all cases of misappropriation. He will also ensure that the money voted by the legislatures is spent under appropriate heads. His annual reports relating to the accounts of the Union and the States will be submitted to the heads of the administrations before they are laid before legislature.

11. CONCLUSION

The new Constitution of India is a flexible and workable Constitution, designed to suit all eventualities. The federal structure may function as a unitary system in the event of an emergency such as war. This is based on a well recognised principle that in an emergency it is the Centre which commands the residuary loyalty of the citizens. It alone can work for the general good of the country. The overriding powers of the Centre, however, are criticised as being unfair to the units. But this is an erroneous conception, for the basic distinction of a federation is the distribution of authority between the Centre and the units. In the Indian Constitution except in emergencies this distinction will remain intact and not even courts can alter it fundamentally. Nor can the Centre change it permanently. Moreover, the overriding powers of the Centre are not meant to be the normal feature of the Constitution. They are expressly confined to emergencies. They correspond to the heavy responsibilities of the Centre both as a guardian of the Constitution and the sentinel of the country.

The Indian Constitution endeavours to translate into practice the high concept of a cooperative commonwealth, a happy blending of the ballot paper and

economic democracy. It includes the most elaborate declaration of human right so far framed by any State. At the same time the Constitution is only a mechanism. "However good a Constitution may be," observed Dr. Ambedkar, "it is sure to turn out bad because those who are called to work it happen to be a bad lot." The success of a Constitution depends upon the national character, the spirit in which it is operated, and the goodwill of the people working it. But the ultimate form and character of our Government will also rest on our laws, principles, conventions and precedents, more than anything else, on the sense of fair play, justice and equity displayed by the political parties and of the active and willing cooperation of the people.

The Constitution is often described as the Charter of Indian Independence. But no Constitution by itself can become the citadel of a nation's independence. "If the parties place creed above country," remarks Dr. Ambedkar, "our Independence will be put in a jeopardy a second time and probably lost for ever. This eventuality we must resolutely guard against. We must be determined to defend our Independence with the last drop of our blood."

66. *From Kala Venkata Rao to all Members of the A.I.C.C.*

ALL INDIA CONGRESS COMMITTEE

Ref. G/2169

7 Jantar Mantar Road
New Delhi
22nd January 1950

Dear Friend,

A special meeting of the A.I.C.C. will be held in New Delhi on 18th and 19th February 1950 for the consideration of the following subjects. Time of the meeting and place of the meeting in New Delhi will be intimated through the Press.

1. Changes in the Congress constitution suggested by the Working Committee (note enclosed).
2. Any other subject placed by the Working Committee.

You are cordially invited to be present.

Kala Venkata Rao
General Secretary

All Members of the All India Congress Committee.

Enclosure:

(Note on the working of Congress constitution)

The present constitution was adopted in April 1948 by the A.I.C.C. and was afterwards approved, as amended, by the plenary session of the Indian National Congress held in December 1948 at Jaipur. The constitution provides for primary members, qualified members and effective members. Every adult can become a primary member by subscribing to Article I of the Congress constitution. About 2,40,00,000 primary members have been enlisted this year in all the Provinces excluding U.P. With U.P.'s figures added it is likely that the total membership will exceed 3 crores. Under clause 4 (c) anyone can enrol himself as a qualified member on fulfilling certain conditions stated therein. According to the information received till now lakhs of qualified members have been enrolled. The last date for the enlistment of effective members, being 31st January 1950, is yet to pass. From the information received, however, almost every qualified member is enrolling himself as an effective member. From the reports it is also seen that this enlistment is being done on a competitive scale by the different Congress groups in a number of Provinces. This is particularly true of certain Provinces like West Bengal, Vidarbha, East Punjab and Andhra. Such an enrolment is a fraud upon the Congress constitution. The provisions of the new constitution have been adopted only to meet the criticism against the previous constitution that there was bogus enrolment of four-anna members and that rich and enterprising people used it as a means of introducing undesirable candidates in Congress elections. But now even the new provisions are being circumvented and abused. There are two reasons for this state of affairs. One is the existence of keen personal differences among certain Congressmen. The second is the attempt to capture the Congress machinery by spending money for enlisting qualified and effective members because every effective member will be a voter for the election of the delegates to the Indian National Congress and of the members of all the Congress Committees except the village Congress Panchayats. The rush is all the greater this year because the new P.C.C.s will have a direct hand in the selection of Congress candidates to the legislatures in the forthcoming general elections. It needs hardly be said that not even ten per cent of those who have enrolled themselves as qualified and effective members now satisfy the conditions prescribed in this behalf in the constitution. Reports are to hand that in the case of one district in Andhra the total number of qualified and effective members enrolled is four lakhs or even more, and that in another district in the same Province the number is near 1½ lakhs. Innumerable complaints are daily being made about the enrolment of qualified and effective members in ever-increasing numbers out of local rivalries amongst groups of Congressmen. The only check on such enrolment now provided for in the constitution is through the credentials committees. The credentials committees cannot possibly cope with the work of verification of lakhs of members as to whether they are habitual

wearers of Khadi etc., or not. It will be only possible, and that too at a later stage, that is, after the elections to the village Congress Panchayats are over, to check the credentials of the elected panchayatdars and if they are not qualified to disqualify them then.

Such a state of affairs would not naturally result in a fair election of the Congress Committees and of the delegates. This Working Committee was, accordingly, faced with four alternatives:

- (a) Extension of the lifetime of the existing committees.
- (b) Direct election of the Congress delegates by primary members enrolled under the new constitution.
- (c) Election of Primary Congress Panchayats by the primary members and those elected to such panchayats to be the electorate for electing members to the Congress Committees other than the Primary Congress Panchayats.
- (d) Election according to the present constitution.

(a) The Committee did not approve of the first alternative as it would have meant the perpetuation of the present committees elected in 1946 under the previous Congress constitution. (b) It was felt that the direct election of delegates by about three crores of primary members would be a well-nigh impossible task. Alternative (d) was out of the question. The Working Committee has favoured (c) and it has been decided to convene a special meeting of the All India Congress Committee on 18th and 19th February 1950 at Delhi to consider amendments of the constitution in this behalf. Accordingly this note is being circulated explaining the need for the proposed amendments.

The Working Committee was anxious to retain the democratic character of the organisation. Under the proposed amendments the 3 crores of primary members will elect the members of the village Congress Panchayats, and the members of the village Congress Panchayats, who are themselves qualified members, will form the electoral college in each constituency and will elect the Congress delegates and also members to the town, taluk, thana, and district Congress Committees. The delegates elected to the Congress are, of course, ex-officio members of the Provincial Congress Committees. Under clause (b) of Article XII, the A.I.C.C. is the only competent authority to deal with an emergency like this and take a decision and it has accordingly been decided to submit the aforesaid change to a special session of the A.I.C.C. for its approval as an emergent measure.

Kala Venkata Rao
General Secretary

1. *A letter dated 13 January 1949 from Dr. Rajendra Prasad to Jagjivan Ram*

बजाजवाडी, वर्धा
१३/१/४९

प्रिय जगजीवन बाबू,

मेरे पास जमशेदपुर से मिस्टर जौन का पत्र आया है। सिन्दरी में जो इंडियन नेशनल ट्रेड यूनियन कांग्रेस की शाखा काम कर रही है उसका वार्षिकोत्सव वे लोग करना चाहते हैं। उनकी बड़ी इच्छा है कि आप उस मौके पर वहां जरूर जायें। जहां तक मैंने सुना है सिन्दरी का यूनियन अच्छा काम कर रहा है। जौन उसके सभापति हैं। अभी भरिया में संगठन पूरा नहीं हुआ है और जो हुआ भी है वह उतना दृढ़ नहीं है। इस वार्षिकोत्सव के द्वारा वे लोग चाहते हैं कि उसको कुछ अधिक ताकत मिले और इसलिए वे चाहते हैं कि बड़े नेता वहां जायें। उन लोगों की चाहिश यह भी थी कि मैं भी जाऊं पर मेरे लिये तो यह सम्भव नहीं है। आप यदि जायें तो बड़ा अच्छा होगा। उन लोगों ने तो अभी २५, २६ जनवरी की तारीख मुकर्रर की है पर आपको यदि सुविधा किसी दूसरी तिथि में हो तो वे आपकी सुविधा के अनुसार तिथि बदल भी देंगे। मैं श्री शंकर राव देव को भी पत्र लिख रहा हूं। अगर वह भी जा सके तो बहुत अच्छा होगा। आशा है आप इस पर विचार करेंगे।

मेरी तबीयत इधर अच्छी है। अब फिर कुछ टहलने भी लगा हूं और ज्वर और खांसी से मुक्त हूं। आशा करता हूं कि ३० जनवरी के समारोह में दिल्ली में शरीक हो सकूंगा। पर यह तभी होगा जब मेरा स्वास्थ्य आज से उस समय तक उन्नति करता जाय।

आपका,
राजेन्द्र प्रसाद

2. *Extracts from a Government of India file*

PRIME MINISTER'S SECRETARIAT

Letter from the President of the Constituent Assembly and my answer to it attached. I shall be glad to have the views of the Law Ministry on it.

J. Nehru
16.1.49

Law Ministry.

MINISTRY OF LAW

From the coming into force of the Montagu Chelmsford reforms until 1st April 1937, election to the two Chambers of the Old Indian Legislature, including preparation of electoral rolls, was a Provincial subject and all expenses connected therewith were borne by the Local Governments concerned. From the 1st April 1937, the subject became a Central responsibility. The

Government of India entrusted the relevant functions under the Central Electoral Rules and Regulations to the Provincial Governments with their consent under sub-section (1) of section 124 of the Government of India Act, 1935, and undertook to reimburse *all expenses* incurred by them in the performance of those functions. This was recognised to be somewhat in excess of their legitimate dues under sub-section (4) of that section, but all the same the Provincial Governments were paid for work in connection with the holding of elections the actual cost incurred by them on an agreed basis.

2. In principle the position will continue to be the same under the new Constitution. Elections to either Chamber of Parliament, including the preparation of electoral rolls, will be a Union subject. The Union may entrust to the Government of a State *with its consent* the task of preparing the electoral rolls and conducting the elections. Alternatively Parliament may by law impose these duties on the State. While in the former case the State *may* refuse its consent unless it is paid *all expenses* incurred by it, in the latter case the State is entitled to get only the 'extra costs of administration' incurred by it.

3. At present, however, neither the Provinces nor the States which, in response to the suggestion of the President, have taken preliminary steps for preparing electoral rolls on the basis of adult suffrage, have any valid claim for the reimbursement of any part of the expenses incurred by them. For one thing, it is not a task *imposed* on them either under section 124 of the Government of India Act, 1935, or under Article 235 of the new Constitution (which latter is of course not intended to have any retrospective operation). For another, so far as all the Provinces and those acceding States which have practically decided to adopt adult suffrage as the basis of elections to the State Legislatures (e.g., Travancore-Cochin or Mysore) are concerned, the work should be regarded as having been done for their own sake, although incidentally, and at a future date, the Union would also benefit by it. Since the other acceding States are all expected to fall into line in this respect the same view would also be tenable in regard to them.

4. I think, therefore, we should take the line that except in the case of those acceding States which ultimately decide not to have adult suffrage for elections to the State Legislature, the Government of India would only be liable for any *extra* cost that a Province or State might incur for getting ready the electoral rolls for the House of the People from the electoral rolls already prepared by it for the State Legislative Assembly. There would be no great difficulty in reaching an agreement in due course as to the amount of this extra cost.

5. As regards the last sentence of the President's letter dated the 13th December, I notice that in an official letter dated the 21st December, the Constituent Assembly Secretariat have already suggested to the Governments of all Provinces and States that they "should proceed with the printing of the electoral rolls if they agreed to leave open the question of the incidence of expenditure on the preparation of these rolls". Furthermore, as indicated by H.P.M. in his letter to the President, this question has to be decided by direct correspondence between the Government of India and the Governments of

the Provinces and States concerned. From this point of view, as well as several other aspects connected with the introduction of the new Constitution, it is desirable to set up a Constitution Branch in this Ministry and make it responsible for dealing with all questions of this type. This was in fact anticipated in another connection (vide correspondence resting with Mr. A.V. Pai's letter No. 32/48/48-P.M.S., dated the 28th September 1948 to the President) and financial sanction was obtained to the creation of a nucleus branch in this Ministry with effect from the 1st March 1949. This Ministry is, therefore, in a position to take over this work forthwith if so directed by the H.P.M.

6. I am submitting this note direct in the absence of the H.M. on tour. I shall communicate his comments soon after he returns on the 26th.

K. Sundaram
19.1.49

H.P.M.

Ministry of Law u.o. Dy. No. 224/49-L, dated 20.1.49.

PRIME MINISTER'S SECRETARIAT

The Prime Minister would be glad to have the Home Ministry's comments on this, particularly the proposal to set up a Constitution Branch in the Ministry of Law and make it responsible for dealing with all questions of the type mentioned in Mr. Sundaram's note.

This may please be treated as immediate.

A.V. Pai
P.P.S. to P.M.
21.1.49

Ministry of Home Affairs (Mr. H.V.R. Iengar)/
P.M. Sectt. u/o No. D/S/599, dated 21/1/1949.

MINISTRY OF HOME AFFAIRS

I much regret having delayed a reply to this reference but I was anxious to send a reply which was acceptable to the Ministry of Law, the Constituent Assembly Secretariat, and (if it was concerned at all) the Home Ministry. I have now had the benefit of a joint discussion with Sir B.N. Rau and the Secretary of the Law Ministry. We are all three agreed that a Constitution Branch should be set up in the Ministry of Law with effect from the 1st March 1949. Orders to this effect are already in existence. It is true that when these orders were issued it was assumed that the new Constitution would have been passed by the end of 1948 and that the Constituent Assembly Secretariat would have been virtually wound up by that time. But although this assumption has not proved correct we are now agreed as to the necessity of a Constitution Branch. There is a great deal of work to be done.

For example, the work of elections involves numerous questions including questions such as who should bear the cost. It is appropriate that these questions should be taken up by a Ministry of Government and not by the Constituent Assembly Secretariat. There is also the question of examining the adaptations of laws on the basis of the clauses of the new Constitution. This is an immense task and the sooner a beginning is made, the better. On all grounds therefore we are agreed that the Branch should commence in a nucleus from 1st March 1949. As stated earlier in the note, no fresh orders on this point are necessary.

2. The Hon'ble the President of the Assembly has, in the absence of a specific understanding with Government, dealt hitherto with the question of the preparation of electoral rolls. This is a matter which we think should appropriately fall on the Law Ministry and the Constitutional Adviser has promised to put this point to Dr. Rajendra Prasad. I do not think there will be any serious difficulty in getting his approval.

H.V.R. Iengar
Secretary
2.2.49

P.P.S.

No. 66/49/PS dated 2.2.49.

I agree.

J. Nehru

Home Secretary/

P.M. Sectt. u/o No. D/S 1019, dated 4.2.49.

Secretary, Law Ministry, and Constitutional Adviser should see P.M.'s order before the papers are returned to P.P.S.

H.V.R. Iengar
5.2

Mr. K.V.K. Sundaram/
Sir B.N. Rau/
P.P.S.

Seen. Thanks.

K. Sundaram
5.2

Seen. Thanks.

B.N. Rau
7.2.49

P.P.S./

Ministry of Law D. No. 224/49-L, dated 5.2.1949/.

C.A. of India No. 889, dated 8.2.1949.

Reference 'A' of Mr. Iengar's note on page 5 ante. According to present information H.P. is expected back in Delhi about the 14th instant and it is therefore perhaps unnecessary for C.A. to write to H.P. this matter now. These papers will be put up again on H.P.'s arrival.

P.K.
8.2

K.V. Padmanabhan
8.2
S. Mukherjee
9.2
B.N. Rau
9.2

H.P. is returning to Delhi tomorrow. These papers are accordingly resubmitted.

P.K.
14.2

U.S./C.A.

K.V. Padmanabhan
14.2

3. A note dated 27 February 1949 from Dr. Rajendra Prasad to the Secretary, Constituent Assembly of India

I have not yet heard what the reply of the External Affairs Ministry is to the enquiry when they will require Syt. Padmanabhan's services. No appointment or commitment to fill up the vacancy caused by Syt. Padmanabhan's new appointment should be made without previous consultation with me.

Rajendra Prasad
27.2.49

Secretary, Constituent Assembly/
No. 42/49-PCA., dt/27.2.49.

4. *A letter dated 29 April 1949 from Vijayalakshmi Pandit to Dr. Rajendra Prasad*

Prime Minister's House
New Delhi

२९-४-४९

पूज्य राजेन बाबू जी,

महेश प्रसाद मेरे साथ कई वर्षों से हैं और मास्को में भी दूतावास में काम किया था। कांग्रेस कमेटी के दफ्तर में भी कई वर्ष काम किया है—यदि आप इन का उपयोग कर सकें तो अच्छा हो।

भवदीया,
विजयालक्ष्मी

5. *A letter dated 2 June 1949 from Ramji Prasad Verma to Dr. Rajendra Prasad*

227 South Emerson
Denver, Colorado
U.S.A.

२-६-४९

सोसती श्री बाबू के चरणों में,

रामजी के अनेकानेक प्रणाम। मैं शुरु अप्रैल में नौक्सविल शहर से आपको एक पत्र भेज चुका हूँ जिसमें हिन्दुस्तान से चलने के बाद और नौक्सविल पहुँचने तक की बातें संक्षेप में लिख चुका हूँ। पत्र, १ क्वीन विक्टोरिया रोड के पते से भेजा था, इसलिए आप के पास जरूर पहुँच गया होगा।

नौक्सविल में मैं २१ ता० तक T.V.A. के मातहत काम सीखता रहा। फिर वहाँ से मुझे इस शहर यानी डेनवर में आने का हुक्म हुआ। T.V.A. में मैं चीफ इंजिनियर के ऑफिस में काम करता था और समय-समय पर बाहर जा कर काम देखने का भी इंतजाम करता था। इस सात हफ्ते के अन्दर मैंने करीब दो हजार मील वहाँ घूमघूम कर काम देखा।

डेनवर में States Department का Department of the Interior है जिसका इंजिनियरिंग विभाग Bureau of Reclamation कहा जाता है। इसी विभाग के द्वारा यहाँ के सब बड़े बड़े डैम बनाये गये हैं। मैं यहाँ इसी ऑफिस में आ गया हूँ। उम्मीद है कि यहाँ और यहाँ के डैमों को देखने में करीब साढ़े तीन महीना और लग जायगा। उसके बाद सितम्बर महीने में Massachusetts Institute of Technology में चला जाऊँगा।

नौक्सविल से डेनवर आने के रास्ते में अपने यहाँ के रामसुभग सिंह से मिजूरी देश के कोलम्बिया शहर में भेंट हुई। रामसुभग जी काशी विद्यापीठ के शास्त्री थे और इसी डिग्री के आधार पर यहाँ उनका M.A. में नाम लिखा गया। १९४७ ई० में यह अमेरिका आये और १९४८ में M.A. पास कर गये। १९४९ के शुरु जून में इनका Ph.D. इमतहान भी खतम हो गया है। ७ जून को समावर्तन में इन्हें डाक्टरी की उपाधि मिल जायगी। विषय इनका Journalism है। बहुत परिश्रम से अमेरिका में इन्होंने अध्ययन किया है और कोलम्बिया में इनका सभी विद्यार्थियों और अध्यापकों पर काफी प्रभाव है। मेरी इन्होंने बड़ी खातिरदारी की और वहाँ के सब प्रमुख व्यक्तियों से मिलाया।

इसी मौके पर मैं इलिनोयाय की युनिवर्सिटी भी देख आया। डेनवर २४ ता० मई की सुबह में पहुँचा। यहाँ

दो तीन दिन डेरा खोजने में लग गया। सौभाग्य से डेरा अच्छा मिल गया है। भोजन अपने [आप] ही बना लेने का इंतजाम है। इसलिए खाने पीने का कष्ट नहीं है। मकान मालकिन गांधी जी की किताबों को पढ़ती है और अपने को उनका भक्त मानती है। मेरे पास गांधी जी की एक तस्वीर है, वह देखकर उसे मुझ पर कुछ मेहरबानी की निगाह हो गई है। बुद्धिया ने मुझे सब सुविधा मांस मछली से बचने की कर दी है।

मैं खूब खुशी से यहाँ अपनी ताकत भर अपना काम कर रहा हूँ। आपके आशीर्वाद से मैं बहुत कुशल से हूँ। आपका समाचार नहीं मालूम होता है। हिन्दुस्तान की भी बातें करीब करीब नहीं के [बराबर] ही मालूम होती हैं।

स्नेहाधीन
रामजी

6. A letter dated 12 June 1949 from Shiv Chandika to Dr. Rajendra Prasad

12-6-49

पूज्य बाबूजी,

सादर प्रणाम। आशा है ईश्वर की दया से आप स्वस्थ एवं प्रसन्न होंगे। आपके आशीर्वाद से मैं यहाँ सकुशल चार को पहुँच गया था। आपने मुझे जो आशीर्वाद भेजा था उसके लिए मैं अत्यधि कृतज्ञ हूँ। बाबू जी मैं यह अच्छी तरह जान रहा हूँ कि आज मैं जो कुछ भी जनता एवं देश की सेवा कर पा रहा हूँ वह आप ही के आशीर्वाद का फल है। मुझ में ऐसी कोई विशेष योग्यता नहीं जो मैं ऐसे जिम्मेवारी कामों को कर सकूँ पर यह आपका ही आशीर्वाद है और स्वर्गीय प्रोफेसर बारी साहब का जो मैं आज एक नहीं पाँच-पाँच डेलीगेट्स को एक साल के अन्दर अपने वर्कर्स में से बाहर भेज पाया हूँ। रामनारायण शर्मा और फतेह बाबू जा चुके हैं और दो नवम्बर में जायेंगे।

आपके आशीर्वाद से मैं यहाँ तो सर्वप्रथम ही यूनेस्को माइग्रेसन केमटी का सदस्य इलेक्टड हो गया हूँ और बेजिज केमटी का डिप्टी मेम्बर इलेक्ट हुआ हूँ। देखूँ कहां तक अपनी जिम्मेवारी पूरा कर पाता हूँ।

आपका आशीर्वाद पत्र मुझे चलते समय मिल था। कोई उपाय नहीं देखकर मैंने पिताजी को मकान के ऊपर कर्जा लेने को कह दिया है। हम लोगों का कनफर्म 2 जुलाई को समाप्त होता है। रिटर्न जरूरी दो महीने के अन्दर करनी है। और लोग तो यूरोप घूमेंगे। मजदूर क्षेत्र की जानकारी करेंगे। घूमने में करीब दो हजार रुपये और लगेंगे। मैं तो शायद नहीं घूम पाऊंगा चूँकि रुपये पास में नहीं हैं। और लोगों को तो ... भी दी है।

आने में सात-आठ सौ रुपये तो कपड़े बनाने में ही लग गया है। कपड़े बनाने का कुल खर्च मेरा, परम साथी मदन लाल हिम्मत सिंह ने दिया है। मदन और मैं बचपन के ही साथी हैं। और वह सदा मुझे बिना कहे जरूरत पर सहायता पहुँचाता रहता है।

पूज्य चक्रधर भाईजी से नमस्ते कह देने की कृपा करेंगे।

सीता राम से जय हिन्द।

आपका,
शिव चण्डिका

7. A letter dated 12 June 1949 from Dr. Rajendra Prasad to Ramji Prasad Verma

१ क्वीन विक्टोरिया रोड
नई दिल्ली
१२ जून १९४९

प्रिय रामजी,

आशीर्वाद। तुम्हारा पत्र मुझे मिला। पहले का पत्र मुझे किसी कारण से मिला नहीं। यही पत्र मुझे पहले पहल मिला है। यह जान कर प्रसन्नता हुई कि तुम टी० भी० ए० का काम और इस प्रकार के दूसरे बड़े बड़े बांध बनाये गये हैं उन्हें देखने का मौका तुम्हें मिल रहा है। अपने प्रान्त में इस प्रकार का काम हो रहा है और आगे भी होने वाला है। इस सम्बन्ध में जितनी जानकारी और अनुभव मिल सके प्राप्त कर लेना चाहिये क्योंकि इसी प्रकार का काम बिहार में जोरों से चल रहा है और आगे भी चलेगा।

यह जानकर प्रसन्नता हुई कि रामसुभग सिंह एम० ए० पास कर चुके हैं और पी० एच० डी० भी हो चुके हैं। जाने के समय मुझ से मिल कर गये थे इसलिए और भी मुझे अधिक खुशी हो रही है।

मेरा स्वास्थ्य आजकल ठीक है। विधान परिषद् का काम आजकल जोरों से चल रहा है। उम्मीद है कि महीने डेढ़ महीने में वह काम एक प्रकार से समाप्त हो जायगा। इसके बाद फिर उसे वाजाप्ता जारी करने का काम रह जायगा। उसमें शायद थोड़ी देर लगे।

आशा है कि तुम अच्छे होगे। जवतब खबर देते रहना।

तुम्हारा,
राजेन्द्र प्रसाद

श्री रामजी प्रसाद वर्मा

२२७ साउथ इमरसन
डेनभर, कोलोरेडो।

8. A letter dated 5 July 1949 from Madalsa Aggarwal to Dr. Rajendra Prasad

Airport
7-7-49
लंदन
5-7-49

श्रद्धेय बाबूजी,*

सादर सविनय प्रणाम!

आशा और कामना करते हैं कि आपका स्वास्थ्य अच्छा होगा। आपके स्नेह और आशीर्वाद की वजह से हमारा प्रवास बहुत संतोष प्रद हो रहा है। पूज्य बापूजी के प्रति बड़ों से छोटों तक के दिलों में अपूर्व श्रद्धा और जिज्ञासा प्रतीत हुई है। साधारण सिपाही, चौकीदार तथा होटल में काम करने वाले सेवकों के दिलों में भी बापू के सर्वात्मक प्रभाव के प्रति स्नेह भरी आशा का आर्कषण दिखाई दिया है। पूछते हैं किसने बापू को मारा, क्यों मारा? कुछ पागलपन सवार हो गया होगा, बड़ा बुरा हुआ पर जो भी हो उस मारने वाले को भी फांसी तो हरगिज नहीं दी जानी चाहिए। भले उसे आजन्म कैद में क्यों न रखा जाए। वार्शिगटन में एक

सेवक बोला। आप लोग गाँधीजी के देश से आए हैं न? हाँ, गाँधी माने इंडिया और इंडिया माने गाँधी, आज गाँधी नहीं रहे, फिर भी उनकी "स्पिरिट" की वजह से ही हिन्दुस्तान जिन्दा है यह मेरा पक्का विश्वास है। बिना गाँधी के इंडिया का मैं तो आज कुछ भी मतलब नहीं समझता। यह एक स्पेनिश 30-32 साल के होटल में सर्व करने वाले सेवक के उद्गार थे। इसी प्रकार कल अचानक एक चौकीदार से बात निकल पड़ी वह लड़ाई में जा चुका है। मैंने पूछा लड़ाई के बारे में क्या ख्याल है तो बोला कि आज कल की लड़ाई बहुत ही बुरी बला है। हम क्यों किसी से लड़ें? जिनमें झगड़ा हो वे लोग मिलकर झगड़ें, लड़ें जी भर कर। जिससे कुछ मन भी हलका हो? हमें क्यों लड़ने भेज देते हैं? इस तरह तो लड़ाइयाँ कराने से किसी का कोई फायदा नहीं हो सकता. . . बड़े मजे से और बड़े आवभाव के साथ उसने ये भाव प्रदर्शित किए जिससे हमें भी बहुत आनन्द और संतोष हुआ।

कल श्रद्धेय श्री हेनरी पोलक से खूब आराम और शान्ति से मुलाकात हुई। उन्होंने आपकी स्नेह श्रद्धापूर्वक याद की। आपका पत्र उन्हें मिल गया था। हमारे साथ बापूजी के करीब सभी अच्छे एलबम हम ले गये थे। देख-देख कर बहुत सारे स्मरण उन्होंने सुनाये। कहा कि बापू को सब भाई कहते थे वे मुझे छोटा भाई। "अण्टू दी लास्ट" पहले पहल उन्होंने ही बापू को दी थी। श्री पोलक से मिलकर उन्हें और हमें परस्पर बहुत ही खुशी और संतोष हुआ। वॉशिंगटन में श्री बी.आर. सेन से भी मिलकर बहुत खुशी हुई और मदद मिली। उन्हें आपकी एक फोटो भी मैंने दी तो बहुत ही खुश हुए। दोनों जनों ने कहा कि हम इन्लाज करावेंगे।

सर्वोदय समाज का परिचय लोगों में काफी फैल रहा है। बहुत ही नम्रता और सावधानी पूर्वक सब बातें प्रस्तुत करनी होती हैं। फिर भी लोग जानना चाहते ही हैं कि हिन्दुस्तान में यह सारा काम और कार्यक्रम किस प्रकार फैल रहा है। गाँधी साहित्य की माँग सब जगह बहुत ही ज्यादा है। हमारे पास काफी किताबें और कनुभाई का भी सुन्दर एलबम आ पहुँचा है। वह दिखाते हैं "एनेशन गांधियन लिट्रेचर" साइक्लोस्टाइल करा ली है वह बांटते जाते हैं।

7-7-49 या तारीख 5-7 की शाम को 4 बजे फ्रेंड्स इंटरनेशनल हाऊस में मिस श्री अंगाथा हरिसन ने विशेष मित्रों की एक सभा का आयोजन किया था। उसमें श्री सोरेन सेन, पोलक (हेनरी) आदि भी आये थे और 20 करीब अन्य भाई बहन होंगे। काफी दिलचस्पी व गंभीरता से सर्वोदय समाज के बारे में चर्चा विचार हुआ। एक श्री मिस्टर केटलिन भी उपस्थित थे उन्होंने बहुत आग्रह पूर्वक गाँधी साहित्य की संग्रह प्रकाशन व अध्ययन (गहराई से करने) के बारे में बहुत जोर दिया और कहा कि यह काम सबसे पहले होना जरूरी है।

दूसरे सर्वोदय समाज के कार्यक्रम तथा प्रतिनिधि पत्र की जो पत्रिका सर्वोदय सम्मेलन द्वारा स्वीकृत साथ लेते आये हैं उसको करते हैं तब भी बहुत से सवाल उठाने जाते हैं और हिन्दुस्तान में इन प्रोग्रामों में कहां क्या-क्या हो रहा है उसकी जानकारी लोग बहुत पूछते हैं।

कल श्रद्धेय श्री पेथिक लॉरेंस तथा उनकी पत्नी से मिलकर बहुत खुशी हुई। हिन्दुस्तान कामन वेल्थ में शामिल हो सका इसका बड़ा संतोष उन्होंने प्रदर्शित किया। पाकिस्तान के बारे में बोले कि क्या कहें वह तो एक बड़ा दुख पूर्ण अनिवार्यता उपस्थित हो गई थी... हिन्दुस्तान में शिक्षा का सही और अनिवार्य प्रचार बहुत व्यवस्थित रूप से शीघ्र होना चाहिए। यह भाव बहुत से लोग आग्रह पूर्वक प्रगट करते हैं। प्रो० लास्की ने भी बहुत देर तक बातें की।

हम अपने प्रवास में बहुत सारी यूनिवर्सिटीज, कालेज और स्कूल देख सकते हैं। करीब हर कालेज में एक चर्च सुन्दर सा जरूर बना हुआ देखा और उसके गम्भीर वातावरण और नीति तथा मजहबी भावना का अनिवार्य सम्बंध विद्यार्थियों की शिक्षा के साथ बंधा हुआ देखकर आश्चर्य और आनन्द भी हुआ। बाबूजी, अपने यहां इस तरह की नीति युक्त शिस्त का प्रचार शिक्षा के साथ भी जरूरी निश्चित रूप से बढ़ाना चाहिए ना?

यहां केम्ब्रिज आक्सफोर्ड दोनों जगह देखी। शिक्षा के साथ संस्कृति का भी बड़ा केन्द्र दोनों जगह देखने में आया। अमरीका देश बहुत नया नई-नई उमंगों से युक्त एक नौजवान राष्ट्र जान पड़ा, जबकि अमरीका से इंगलैंड आने पर यह देश बहुत अनुभवी, संस्कारी और व्यवहार कुशल जान पड़ा। यहां आने पर बहुत तरह की गलतफहमी भी दूर हुई। सच्ची सावधानी के साथ इंगलैंड और हिन्दुस्तान की मित्रता जो निभ सकती तो दोनों के लिए व दुनिया के लिए भी हितकारी हो सकेगी ऐसा जान पड़ा। पुरानी संस्कृति के पक्के रक्षक व हिमायती ये लोग हैं, बड़े सावधान भी हैं। यहां लोगों का जीवन बहुत सादा दिखाई देता है। जबकि हिन्दुस्तान में इन लोगों ने बड़ी गलतफहमियां फैला रखी थी। कल हम लोग बसलस जा रहें हैं। तारीख 11 को पेरिस और 17 को स्विटजरलैंड पहुंच जाना है। बहुत दिनों से लिखने की सोच रही थी—आज ही लिख पाई हूं। पत्र लम्बा हो गया है क्षमा करेंगे।

सादर विनीत
मदालसा† के प्रणाम

*डॉ० राजेन्द्र प्रसाद।

†स्वर्गीय जमनालाल बजाज की पुत्री, श्रीमन्नारायण अग्रवाल की पत्नी।

9. *A note dated 28 August 1949 from Dr. Rajendra Prasad to S.N. Mukherjee*

I found yesterday that no articles were ready for consideration. Has anything been done since? What is the programme for Monday? I do not know if articles 236, 237, 243 to 245 and 281 to 283 require any discussion with the Provincial Ministers or the Ministries of the Government of India. If not, we might take them up. They may take a day if not more. In the meantime the other matters may be got ready. Then we have the schedules. We may take up the Second Schedule, if decision has been taken regarding the salaries of various officers and also the Fourth Schedule if no further discussion is required regarding the Instrument of Instruction. We have decided to add some more schedules. If they are ready they may be taken up. I suggest that we should have a time-table and allot particular articles to particular days and efforts should be made to get ready with those articles in time. Members raise an objection which is sometimes well founded that they are taken by surprise. That will be avoided if we fix the time-table and announce it.

Rajendra Prasad
27.8.49

Syt. S.N. Mukherjee, Joint Secretary
No. 27.8.49-PCA.

10. A letter dated 2 September 1949 from Mahamaya to Dr. Rajendra Prasad

लंदन
2-9-49

पूज्यवर सादर प्रणाम,

आशा है आपका स्वास्थ्य ठीक है। मैं भी अच्छा हूँ। यहां तारीख 13-8-49 को अमेरिका से आ गया और तब से यहीं हूँ। दो-तीन रोज के बाद फ्रांस और जर्मनी जाने का इरादा है। अमेरिका और कनाडा की यात्रा आपके आशीर्वाद से निर्विघ्न समाप्त हो गयी और बहुत कुछ सीखने का भी मौका मिला है। अपनी समस्याओं के हल के लिए हमें अपने ही पैरों पर खड़ा होना होगा। बहुत आशा इन देशों से नहीं की जा सकती है। विस्तार पूर्वक वहां आने पर अर्ज करूँगा।

बिहार के मित्रों के पत्र और अखबारों के कुछ कटिंग्स आते रहे हैं, उनसे जो कुछ जानने का मौका मिला है मन खिन्न हो उठा है। हम किधर जा रहे हैं इसका ज्ञान भूल गये हैं। हमारी मौजूदगी में जो कुछ वहां का रवैया था उससे कहीं बुरा हाल अब है। लोग बेचैन हैं मगर उनकी सुनवाई कहीं भी नहीं है। न्याय की आशा अब भी लोगों के हृदय में है मगर "जस्टिस डिलेड इज जस्टिस डिनाइड" वाली कहावत चरितार्थ हो रही है। वेगुनाहों का खून हो रहा है और गुनाहगार पनप रहे हैं। गांधीजी के नाम पर जिस तरह सत्य और अहिंसा की हत्या की जा रही है उसी कांग्रेस की प्रतिष्ठा मटियामेट हो रही है। जिनके दामन पाप के घड़े में पूरी तरह डूब चुके हैं वे ही सत्य और अहिंसा की दुहाई देकर निरापराधियों का दमन करने में वयस्त हैं। मैं जानता हूँ कि मेरे कहने का दूसरा ही मतलब लगेगा और कुछ लोग फौरन कह भी देंगे कि मैं समाजवादी हो गया हूँ और कांग्रेस को कमजोर करने पर तुला हुआ हूँ मगर मुझे इसकी परवा नहीं क्योंकि मुझे पूरा विश्वास है कि सत्य की जीत अवश्य होती है। कर्तव्य करना मेरा काम है फल जो हो। मुझे एक बार फिर आपकी सेवा में निवेदन कर देना है कि कांग्रेस मजबूत नहीं हो रही है बल्कि कमजोर होती जा रही है और आम जनता का विश्वास घटता जा रहा है, जिसका परिणाम देश हित में था वह फिर हो सकता है। अभी भी रोग असाध्य नहीं है परन्तु इसका इलाज आप ही के हाथ है। सारे अपमानों को सहकर भी आज मैं कांग्रेस का वफादार सेवक हूँ और उसकी प्रतिष्ठा बढ़ाने की ही कोशिश में रहता हूँ मगर जनता की आवाज सर्वोपरि है और कांग्रेस का काम है कि वह जनता की आवाज पहचाने और जनता की नब्ज पर बराबर अपनी उंगली रखे और गलत रास्ते पर न जाने दे और यह तभी होगा जब हम स्वार्थरहित हों। पूज्य बापू की तो यही खूबी थी। आप बापू के सबसे नजदीक रहे हैं और देश इस बात को महसूस कर रहा है कि आपके ही नेतृत्व से गांधीजी का झण्डा बुलन्द होना चाहिए। परन्तु मुझे क्षमा करेंगे। पहले अपने घर में दीप जलाकर मसजिद में जलाया जाता है और वही लाभप्रद होता है। आज सारे बिहार की आंखें आपकी ओर लगी हैं। आपका बिहार है आप जिस सांचे में ढालना चाहें ढाल सकते हैं। आप एक दफा किसी वाजिब बात को कह दें मेरा ऐसा विश्वास है कि आज भी बिहार की मूक जनता आपका पदानुसरण करने के लिए कीटबद्ध है। आपके सामने किसी की बात नहीं चल सकती है कोई कुछ बिगाड़ नहीं सकता है। आप हुकम दे सब लोग मानेंगे। हां ऐसा भी कुछ लोगों को भ्रम होता है कि आप ऐसा समझते हैं कि जो लोग आज कर्ता-धर्ता हैं उनके बगैर कोई काम हो ही नहीं सकता—खैर इसके बारे में क्या कहा जाए—भविष्य बतलायेगा। आपको मैं इतना विश्वास दिलाता हूँ कि मैं किसी लोभवश ऐसा नहीं कर रहा हूँ और वक्त आने पर आप मुझको उन चीजों से दूर ही पायेंगे मगर मेरा कुछ ऐसा स्वभाव ही हो गया है कि अन्याय देखा नहीं जाता और इसलिए मुझे आपको यह कष्ट देना पड़ता है। सुनने में आया है कि बिहार प्रा० का० ने भागलपुर में बहुत से प्रस्ताव पास किए हैं—क्या यह न्याय संगत नहीं होगा कि वे हों लोग जो सबसे ज्यादा आवाज करते हैं अपना हृदय टटोलें और अपने ही से सुधार करना शुरू करें? मुझे मालूम नहीं कि छोआ और साठें की जमीन के बारे में क्या हुआ। कुछ न कुछ फैसला कर ही देना चाहिए इस से कांग्रेस की शान बढ़ेगी—भले ही कुछ लोगों को अप्रिय मालूम हो और वे लोग कहते हों कि ऐसा करने से कांग्रेस में फूट होगी और कांग्रेस कमजोर होगी।

रोग को बढ़ने देने ही से अनर्थ होता है और हमें ऐसा प्रतीत होता है कि कहीं सारा शरीर ही कहीं रोग ग्रसित हो जाए। मैं विशेष क्या लिखूँ। जल्द से जल्द वहाँ आने का जी चाहता है मगर वहाँ का वातावरण देखकर सारे हौंसले पस्त हो जाते हैं। मैं जानता हूँ कि मेरी हरकतों की वजह से आपको नाहक परेशान होना पड़ता है और कभी-कभी आपको भी भला-बुरा कहा जाता है मगर मैं कभी भी नहीं चाहता कि आपसे किसी तरह का नाजायज फायदा उठाऊँ और ऐसी मैंने कभी कोशिश भी नहीं की है। खैर आपका आशिर्वाद रहना चाहिए। पत्रोत्तर की आशा रखता हूँ।

आशा है सभी लोग स्वस्थ और प्रसन्न होंगे।

आपका,
महामाया

डा० राजेन्द्र प्रसाद

। क्वीन विक्टोरिया रोड

नई दिल्ली।

11. *A note dated 5 September 1949 from Dr. Rajendra Prasad to the Secretary, Constituent Assembly of India*

Our Constitution will finally be adopted, it is hoped, by the Constituent Assembly sometime in November next. It will be an act of great historic importance and future historians would like to know all the details not only about the Constitution itself but also of those who prepared it. I therefore think it desirable to have some record about the personalities engaged in this work. We started in a grand way when each member was required to sign in a book specially prepared to be preserved as a document of historic importance. This Who's Who will have a significance of its own. So far as the various steps in preparing the Constitution are concerned, they are all recorded in great detail and the large literature which has grown up in connection with it will be available to the historians from the records of the Assembly. This Who's Who will complete the picture. I would therefore like the Secretary to put someone in charge of collecting the material which can easily be done by sending a request to all the members to give particulars about themselves in a short compass. If they know that this is intended for being kept in record, I think they will only be too glad to supply the requisite information. When the information is collected it would be put in a readable form in a small volume. It may be printed which, I hope, will be able to pay for itself if reasonably priced.

Rajendra Prasad
5.9.49

The Secretary, Constituent Assembly.

12. A letter dated 20 September 1949 from Badrinath Varma to Chakradhar Sharan

रांची

२०-९-१९४९

प्रिय चक्रधर बाबू,

आपका पत्र मिला। चूँकि मैं इधर उधर घूमता रहा इसलिए वक्त पर जवाब नहीं दे सका। डाक्टर जाकिर हुसैन साहब ने छात्रों के संगठन के सम्बन्ध में मुझे भी एक पत्र लिखा था। उनको मैंने जो उत्तर दिया है उसकी प्रति आपके पास भेज रहा हूँ। उससे मेरी राय का और मैं जो कुछ करना चाहता हूँ उसका पता चल जायगा।

With compliments के लिए अभी तक कोई सुन्दर शब्द मुझे नहीं मिला। मैं तो समझता हूँ कि अंग्रेजी का ठीक उलटा हिन्दी के लिए उपयुक्त नहीं होगा। अंग्रेजी में बहुत से ऐसे शब्द हैं जिनके लिए हिन्दी में साधारणतः दो-दो शब्द व्यवहार में लौए जाते हैं। जैसे अंग्रेजी में केवल "you" शब्द है जो छोटे बड़े दोनों के लिए एकसाँ व्यवहृत होता है पर हिन्दी में "तुम" छोटे के लिए और बड़े के लिए "आप" कहते हैं। उसी तरह मैं समझता हूँ कि "with compliments" के लिए भी छोटे और बड़े का विचार कर भिन्न-भिन्न शब्द रखना अच्छा होगा। बड़ों के लिए "साभिवादन" और छोटे के लिए "सस्नेह" या "साशिप" तथा बराबरी वालों के लिए "साभिवादन" या "सप्रेम" शब्दों का व्यवहार किया जा सकता है। "शुभ कामनाओं सहित" शब्द का भी व्यवहार किया जा सकता है पर यह छोटे और बराबरी वालों के लिए ही अधिक उपयुक्त होगा। "सेवा में प्रेषित" छोटे और साथियों के लिए ठीक नहीं जंचता। मैं तो समझता हूँ कि इनके लिए "लेखक की सप्रेम" या "सस्नेह" या "साशिप भेंट" जैसे शब्दों यथा योग्य व्यवहार में लाए जाने चाहिए। मुझे जैसा तत्काल विचार में आया मैंने लिख दिया।

आशा है राजेन्द्र बाबू का स्वास्थ्य अब सुधर गया होगा। मेरा सादर प्रणाम उनसे कह दूँगे।

आपका,

बदरीनाथ वर्मा

शिक्षा एवं सूचना मंत्री, बिहार

श्री चक्रधर शरण

१ क्वीन विक्टोरिया रोड

नई दिल्ली।

Enclosure:

(Copy of a letter from Badrinath Varma to Dr. Zakir Husain)

Ranchi

The 6th September 1949

My dear Doctor Saheb,

I have just received your letter dated the 30th August last in connection with the move to establish a National Union of Students. I am in full agreement with the object of this move and would pray to God that it may succeed. I need not assure you that I shall do whatever I can to further the object and as desired by

you ask the Principals of the various Colleges to arrange to send delegates to the National Convention of Students which is proposed to be held in November or December next. Perhaps you do not know that I have been a strong supporter of the idea of a non-political non-partisan organisation of students and I have been constantly impressing upon both the students and the heads of the educational institutions to have such a union of students in their respective institutions. I hope you will not be surprised when I say that during the three years that I have been a Minister of Education I have consistently and persistently refused to participate in any function organised under the auspices of one or other of the various students' organisations of the Province or to join any of their gatherings and I have openly told the organisers of these students' organisations that I do not regard their union as at all a students' organisation but rather a students' wing of some political organisation and I shall have nothing to do with them so long as they have directly or indirectly some kind of political affiliation with parties outside the educational institutions. Knowing as I do the present mentality of a fairly large section of our students I am very doubtful if the move for a non-partisan and non-political organisation will succeed or, even if an organisation is set up, it will command the allegiance of all sections of the students. But I agree that an attempt has to be made and should be made and you may depend upon me for all the support and cooperation that I can give in this matter.

With kindest regard,

Yours sincerely,

B.N. Varma

Education & Information Minister

Dr. Zakir Husain

Vice-Chancellor, Muslim University

Aligarh (U.P.).

13. *A letter dated 30 September 1949 from Chakradhar Sharan to Krishna Ballabh Sahay*

नई दिल्ली

तिथि: ३०-९-४९

प्रिय कृष्ण बल्लभ बाबू,

अमेरिका से प्रोफेसर विनय कुमार सरकार का एक पत्र आया है जिसकी नकल साथ इसके भेज रहा हूँ। आपकी बड़ी कृपा होगी यदि आप अपने सचिवालय के किसी से कहकर एक नोट तैयार करा देते जिससे किसी विदेशी को सभी बातें मालूम हो सकें। प्रोफेसर विनय कुमार अधिक दिनों तक विदेश में ही रहे हैं

अतएव उनको भी यहां की सभी बातों की जानकारी नहीं है। कष्ट के लिए क्षमा चाहते हुवे।

आपका,
चक्रधर शरण

सेवा में,
माननीय श्री कृष्ण वल्लभ सहाय,
माल मंत्री, बिहार सरकार,
पटना।

14. *A note dated 14 October 1949 from Dr. Rajendra Prasad to the Deputy Secretary, Constituent Assembly of India*

The Honourable Shri Sri Krishna Sinha, the Premier of Bihar, has 6 Windsor Place allotted to him but it is a small type of bungalow. He was telling me that every year he has been visiting Mussoorie along with his family members but this year he intends bringing them to Delhi during the November session of the Constituent Assembly of India as the climate here in those days is quite healthy. As there is no sufficient accommodation available in his present bungalow, he would like to have a bigger bungalow having more accommodation such as those of Ferozshah Road in exchange of the one in his possession at present. Will the Deputy Secretary please consult the Chairman of the Housing Committee and see to it? It may also be pointed out in this connection that it is necessary for the Hon'ble Shri Sri Krishna Sinha to bring his family members on grounds of health, and as the Premier of a Province he always has some members of his staff with him.

Rajendra Prasad
14.10.49

Deputy Secretary, C.A.

15. *A note dated 6 November 1949 from Dr. Rajendra Prasad to the Secretary, Constituent Assembly of India*

Although I do not like the idea of having nominated members in the Constituent Assembly, it seems there is no help so far as things stand at present in the Vindhya Pradesh. There is no possibility, as it appears from the note of the Hon'ble Minister for States, of having an electoral college consisting of elected representatives of the people or of associations within the Vindhya Pradesh. The

only elected element is the Congress and a few members of Municipalities. The Congress organisation also is not as widespread as in other parts of the country. Therefore it also represents a very small proportion of the population. The device of having an electoral college consisting of nominated members serves only to conceal the fact of nomination. It is much more straightforward to have direct nomination. In these circumstances I would rather have nomination. The rules need to be amended as was done in the case of Bhopal. Immediate steps should be taken and an amendment in the rules notified in the Gazette to enable representatives of the Vindhya Pradesh to attend the final session of the C.A. when the third reading of the Constitution will take place. I accordingly direct that the rules be amended and the States Ministry be informed to see that the Vindhya Pradesh is represented during the next session.

Rajendra Prasad
6.11.49

Secretary, C.A.

16. *A note dated 7 November 1949 from Dr. Rajendra Prasad to the Secretary, Constituent Assembly of India*

I should like to have a report of the progress made by the Conference of Linguistic Experts for evolving a common vocabulary for Indian languages as equivalents for English expressions used in the Draft Constitution. I understand that they have almost completed the work and would be able to give us the final report by the 25th instant. If so, the Hindi translation should be revised and wherever any change is necessitated on account of the decision of the Conference, the change should be introduced and the translation completed so that we may send it to the press as soon as the Constitution is finalised at the third reading stage.

2. As regards the translation in other languages, we must initiate correspondence with the local governments to help us in getting the translation made. We may mention the names of representatives who have attended this Conference representing the languages used in their regions and ask them to take such steps as they consider necessary for this. The vocabulary evolved by the Conference should be used for the various technical expressions which occur in the English Draft. It would be desirable to have translation in as many languages as possible ready so that we may as far as possible publish the translation along with the Hindi translation before the 26th January. Since the technical expressions have not to be thought out, the work of translation becomes very much easier now. Hence it should not be difficult for the translators to complete the translation well in advance.

3. I believe the work of collecting English words from Acts in force is going

ahead. When the Conference of experts has finished the work in connection with the constitutional terms used in the Draft Constitution, it will take up the work of finding equivalents of English legal and administrative expressions in the same way as is done in the case of constitutional terms. The work of the Conference has very well been facilitated by the spade-work already done by the Hindi Translation Committee. I think it would save cost if something similar is done in regard to legal and administrative terms also before the Conference actually sits to finalise them. As in this case the translation can be taken only, if at all, after the terminology has been fixed, we do not need a Translation Committee but we might collect from dictionaries, from translations in various languages already available, and from other sources Indian equivalents for the English words and place them all together so that the Conference may select the best out of them which would be acceptable as far as possible to all languages or at any rate to a majority of them. I believe a great deal of work in this line has already been done and various dictionaries have been prepared as also some translations are available and some of the codes and acts now are in force. We could put some Research Officers who know some Indian languages on this work. If necessary, we might appoint new men with special qualifications and experience of such work on this job. I should like to have a note giving details about the way in which the work can be done together with an estimate of the time and cost involved in this preliminary work so that if necessary we might place it before the Staff and Finance Committee for sanction.

4. As this work is not likely to be completed before the Constituent Assembly with its Secretariat ceases to function as such, it will have to be considered whether it is the C.A. (Legislative) or the Law Ministry or the Education Ministry which should be asked to continue and complete it. It is necessary to keep this in view in framing the estimate.

5. I have received a letter from Shri L.K. Bharati in connection with translation which I am enclosing herewith, as also one from the Hon'ble Shri R.R. Diwakar.

Rajendra Prasad
Pilani
7.11.49

Secretary, Constituent Assembly of India.

Enclosure not included.

17. *A note dated 7 November 1949 from Dr. Rajendra Prasad to the Secretary, Constituent Assembly of India*

As regards the illumination the following points must be cleared by correspondence with Shri Nandalal Bose:

(a) We must give him the size of the paper and leave it to him to decide what the best plan would be and what space should be left between the design and the calligraphy. From the plan which is attached to the letter of Shri Nandalal Bose dated 31st October, it seems that the size of the paper should be 18" by 14", that the design should cover 2½" in width and that he wants to know what the measurement of the space should be between the design and the writing. I think it better to leave it to him to decide what would be best from the artistic point of view. We should only suggest that there should be sufficient margin left on the left side for binding.

(b) We should ask him also how the work will be executed and under whose supervision, if he himself is unable to supervise the whole of it. Possibly he might give us someone who could supervise the whole work under his guidance.

(c) We should get an idea from him of the cost per page so that we may find out what the total cost would be.

(d) We may find out what he exactly means by "the papers being designed before the writing is started". I do not think it means completing the illumination. It simply means leaving the necessary space according to plan for illumination which may be done even after the manuscript has been written out.

2. As regards calligraphy, I have seen all the samples and have had the advantage of consulting the Hon'ble Sardar Vallabhbhai Patel, the Hon'ble Shri Satyanarayan Sinha, Shri G.D. Birla, and Shri V. Shankar, P.S. to the Hon'ble Sardar Vallabhbhai Patel, who are all here. We all agree that of all the calligraphists only two appear to us to be the best. They are: Shri * B.A., Jai Hind Flour Mill, Peepal Mandi, and Shri Prembehari Narain Raizada, C/o Govan Brothers (Rampur) Ltd., Rampur. It would be desirable to find out from them what they would charge and what time they would take to complete the work. We must point out to them the number of pages of the book and the number of words which each page contains on an average so that they might estimate the time that will be taken. We should also inform them that we can give them the matter not later than 25th of this month and they must get the thing ready by about the 20th of January 1950 at the latest. We may even divide the work between the two if one is not able to complete it within time. The division will have to be chapter by chapter so that one chapter may be in the handwriting of one followed by a chapter in the handwriting of the other. I think the best thing would be to find out the charges per page so that we might in that way ascertain the total cost involved as also the remuneration that they would expect for one day's work.

3. The estimate of cost given by the other applicants appears to be extravagant and we cannot entertain their applications.

4. If the thing can be done at a reasonable cost we should undertake it. We can take a decision only after my return. In the meantime the information sought should be obtained.

5. I have noticed an application from Mr. Earnest Joseph who illuminated the book showing the signatures of members. I wonder if it would be possible to fit

him in with the plan which Shri Nandalal Bose would make. The samples are returned.

Rajendra Prasad
Camp: Pilani
7-11-49

Secretary, C.A.

*Name illegible.

18. *A letter dated 10 November 1949 from Abul Kalam Azad to Dr. Rajendra Prasad**

ऐजुकेशन मिनिस्ट्र
इंडिया
१० नवम्बर १९४९

मुझे गांधी मेमोरियल फंड कमेटी के कागजात इस मरतबा हिन्दी और देवनागरी में आये हैं। मैं समझता हूँ इस कदर जल्द और एकाएक तबदीली न कीजिए। इससे मेम्बरों को दिक्कत होगी। कुछ दिनों तक हमें अंग्रेजी में रिपोर्टें वगैरा जारी रखनी चाहियें। फिर बतदरीज अंग्रेजी को हटाना और हिन्दी को बढ़ाना चाहिए। मुझे नहीं मालूम यह तबदीली आप के इल्म और इरादे से हुई है या दफ्तर ने की है। बहराल इस मामले पर गौर किजिये

अबुल कलाम

*The letter was originally written in Urdu.

19. *A letter dated 11 November 1949 from Dr. Rajendra Prasad to Abul Kalam Azad*

नई दिल्ली
२२ नवम्बर १९४९

जनाब मौलाना साहब, तसलीम,

आपकी चिट्ठी १० नवम्बर १९४९ मिली। शुक्रिया। इस मरतबा गांधी मेमोरियल फंड के जो कागजात हिन्दी और नागरी में भेजे गये हैं वह दफ्तर ने भेजे हैं। यह तबदीली मेरे इल्म और इरादे से नहीं हुई है मैं दफ्तर को लिख रहा हूँ कि वह आपकी तजवीज़ को ध्यान में रखें।

राजेन्द्र प्रसाद

20. A letter dated 21 November 1949 from Ram Bachan Lal to Dr. Rajendra Prasad

दालमियां नगर
नई दिल्ली

मान्यवर महोदय,

केवल शाहाबाद जिले के गंगा के कछार के गांवों से ही देखना शुरू करें कि किस प्रकार ये गांव दूध देने वाली गायों और भैंसों से विहीन किये जा रहे हैं और इसके कुफलस्वरूप किस प्रकार यहां के लोगों की शारीरिक, आर्थिक एवं कृषि सम्बन्धी उन्नति का दिन प्रतिदिन ह्रास हो रहा है। वर्ष के किसी भी समय में यहां के रेलवे स्टेशनों पर, यथा, चासा, बक्सर, बरूना, डुमरांव, रघुनाथपुर, विहिया या आरा आप चले जाइये तो सुन्दर, सुडौल और चुनी हुई गायों वा भैंसों का ठट्ट लगा रहता है। ये सब जानवर कलकत्ता वुक होने के लिए इन स्टेशनों पर इन्तजार में रखे जाते हैं। इनको अन्दर दिहातों से उन स्टेशनों पर लानेवाले हमारे ही भाई कुछ हिन्दु और मुसलमान होते हैं जिन्हें इस व्यापार से ६, ७ रुपये सैकड़े सूद पर भी रुपया कर्ज लेकर काफी मुनाफा मिला करता है। फलतः वे वर्ष पर्यन्त इस व्यापार में व्यस्त पाये जाते हैं। नतीजा यह होता है कि इन व्यापारियों के उपरोक्त घातक व्यापार द्वारा प्रतिवर्ष सिर्फ शाहाबाद के उपरोक्त स्टेशनों से ही बीस हजार से अधिक चुनी हुई दुधारू गायों और भैंसों का निष्काशन हो रहा है जिसे देख कर हृदय कांप उठता है। इन जानवरों के लिए कलकत्ता वह कालापानी है जहां से लोट कर उन्हें अपनी जन्मभूमि को फिर नहीं देखना है क्योंकि उनके दूध के खतम होने पर उन्हें भी तो खतम कर दिया जाता है।

शाहाबाद के अलावे बलिया एवं सारन जिलों को इस व्यापार के फलस्वरूप क्या घाटा हो रहा है उसे भी श्रीमान् सुन लें। हमारे देश का यह भूखंड जो एक दिन अपने सुन्दर, सुडौल और दुधारू गाय भैंसों के लिए हिसार और गुजरात से कम प्रसिद्ध नहीं था वह आज इन जानवरों से विहीन किया जा रहा है। सिर्फ दस वर्ष पहले इस भूखंड में दूध व घी की वह प्रचूरता थी जिसे खा कर लम्बे और तगड़े नौजवान भी यहां बहुतायत होते थे, किन्तु आज तो बीमारी की हालत में भी दूध का मिलना दुश्वार है। कैसा परिवर्तन। कैसा पतन।

उपरोक्त घातक व्यापार के करने वाले प्रत्येक दिहात का कोना कोना छानकर इन सुन्दर व सजीव जानवरों को निकाल लाते हैं। इन व्यापारियों की खरीद की तेजी मेलों में देखने को आती है जब मेला लगते लगते ये व्यापारी सुन्दर जानवरों को ड्योढे और दूना दाम देकर खरीद लेते हैं। फलतः बलिया, नियाजीपुर, ब्रह्मपुर निमैज या हरिहर क्षेत्र किसी भी मेले में चले जाइये तो देखियेगा कि इन व्यापारियों को छोड़कर और किसी के पास भी एक सुन्दर गाय या भैंस नहीं है। इसका फल यह होता है कि ये व्यापारी अगर बहुत प्रयत्न के बाद किसी एक गाय को बेचने के लिए राजी होते हैं तो मनमानी कीमत लेते हैं। इस दुख को आप विशेष तौर पर महसूस करते हैं जब एक गाय खरीदने के लिए आप किसी मेले में गये हैं। इन मेलों की संख्या तो अब बहुत हो चली है क्योंकि मेलों के जमीनदारों को अच्छी खासी रकम हफ्ते पन्द्रह दिनों में ही मिल जाया करती है। जिस तेजी से इन मेलों की संख्या बढ़ती है उसी तेजी से उपरोक्त पशुओं का निष्काशन भी बढ़ता जा रहा है।

उपरोक्त हानियां का दिग्दर्शन करा चुकने के बाद अब मैं इस व्यापार से होती हुई आर्थिक क्षतियों को भी यहां दर्शा देना चाहता हूं। उपरोक्त धुआधार निष्काशन के फलस्वरूप वचे हुए जानवरों की कीमत ६ गुणी, सात गुणी होती चली जा रही है। पर साल गाय की कीमत एक सैरकी एक सौ रुपये थी लेकिन इस साल तिलीथू मेले में प्रति सैर पौने दो सौ रुपये है। आज से पांच वर्ष पहले जिस किसान का अपना हल खड़ा करने के लिए डेढ़ सौ रुपयों की जरूरत थी उसे अब डेढ़ हजार की आवश्यकता है। फलः किसानों की प्रतिदिन की बढ़ती गरीबी! बढ़ती कर्जखोरी!! और बढ़ता सत्यानाश!!! अब तो वह हाथ पर सिर धर कर सोचता है कि उसका हल कैसे खड़ा होगा।

श्रीमान्। कोई भी सरकार ऐसे अहम प्रश्न की ओर से आंख मूंद कर एक दिन भी नहीं चल सकती और अपने लोगों को घुल घुल के मरने नहीं दे सकती। हमारी अपनी सरकार तो ऐसे व्यापार को एक दिन भी चलने नहीं दे सकती जिससे जनता के अर्थ, धर्म एवं स्वास्थ्य का सत्यानाश किया जा रहा हो। हम तो उस दिन की प्रतीक्षा में हैं कि हमारी प्रान्तीय सरकार शीघ्रातिशीघ्र ऐसे व्यापार करने वालों को देशद्रोही और इस व्यापार को घातक करार देगी। क्या श्रीमान् से हम इस पुण्य कार्य में सहायता की आशा करें?

भवदीय,
राम वचन लाल
२१.११.४९

21. *A letter dated 22 November 1949 from Jaglal Choudhary to Dr. Rajendra Prasad*

Patna
२२-११-४९

पूज्यवर बाबू जी,

साथ में श्री नायर के एक पत्र की नकल श्रीमान की सेवा में भेज देना मैं अपना कर्तव्य समझता हूँ। इस पत्र में श्री नायर ने श्री मदन की चर्चा की है। मैं समझता हूँ कि श्रीमान श्री नायर और श्री मदन दोनों को ही अच्छी तरह जानते हैं अतः और कुछ न कह उनके पत्र की नकल ही भेज कर संतोष करता हूँ।

विनीत सेवक
जगलाल चौधरी

माननीय देशरत्न डा० राजेन्द्र प्रसाद जी
दिल्ली।

22. *A letter dated 23 November 1949 from Chakradhar Sharan to Anugrah Narayan Sinha*

१ बवीन विक्टोरिया रोड
नई दिल्ली
२३-११-४९

सादर प्रणाम,

साथ इस पत्र के पटना अशोक आश्रम के श्री विमल कुमार सिन्हा के दो पत्र भेज रहा हूँ जिन्हें उन्होंने पूज्य राजेन्द्र बाबू के पास भेजा है। यह विमल कुमार सिन्हा कौन हैं मुझे मालूम नहीं। पेंसिफिस्ट आन्दोलन ऐसा नहीं है कि हर खास ओ आम इसे कर सके। इसके लिये तो ऐसे लोगों की आवश्यकता है जो स्वयं उस सिद्धान्त में विश्वास रखते हों और उनमें शक्ति हो कि इस विचार का प्रचार लोगों के बीच कर सकें। जो भी

हो आप कृपा कर मुझे सूचित करेंगे कि यह कौन व्यक्ति है। उत्तर देते समय साथ वाले पत्रों को लौटा देने की कृपा करेंगे।

आपका,
चक्रधर शरण

सेवा में
श्रद्धेय बाबू अनुग्रह नारायण सिन्हा
अर्थ मंत्री, बिहार सरकार
पटना।

संलग्न:

२ पत्र श्री-विमल कुमार सिन्हा, अशोक आश्रम, पटना।

23. A letter dated 28 November 1949 from Chakradhar Sharan to Sri Krishna Sinha

१ क्वीन विक्टोरिया रोड
नई दिल्ली
२८-११-४९

सादर प्रणाम,

पूज्य राजेन्द्र बाबू के नाम डालमियां नगर के श्री राम वचन लाल बी.ए.बी.एल. का एक पत्र आया है। जिसकी नकल साथ इस पत्र के आपकी सेवा में भेज रहा हूँ। इससे आपको मालूम होगा कि शहाबाद जिला में गायों की नस्ल का किस तरह हास हो रहा है। इस सम्बन्ध में तो बिहार सरकार को कार्यवाही करनी चाहिए। आशा है, आपकी सरकार इस पत्र पर विचार करेगी।

आज्ञाकारी,
चक्रधर शरण

सेवा में
माननीय श्री कृष्ण सिंह जी
प्रधान मंत्री, बिहार सरकार
पटना।

संलग्न:

१ प्रतिनिधि श्री राम वचन लाल के पत्र की।

24. A letter dated 2 December 1949 from Chakradhar Sharan to Sri Krishna Sinha

१ क्वीन विक्टोरिया रोड
नई दिल्ली
२-१२-४९

आदरणीय महोदय,

बम्बई के २९ नवम्बर के विलिट्ज नामक अखबार में एक पत्र छपा है। उसकी एक प्रति साथ इसके भेज रहा हूँ। संवाद के देखने से आपको पता चलेगा कि इसमें यह शिकायत है कि डाक्टर राजेन्द्र प्रसाद द्वारा लिखित आत्म कथा वहां के झाइवरों के बीच पुलिस द्वारा जबरदस्ती बेचने का प्रयत्न किया जाता है। मालूम नहीं यह शिकायत कहां तक सत्य है। कृपा कर इसके सम्बन्ध में जांच करा कर मुझे सूचित करने की कृपा करेंगे।

आपका,
चक्रधर शरण

माननीय श्री० श्री कृष्ण सिंह जी
प्रधान मंत्री, बिहार सरकार
पटना।

25. A letter dated 12 December 1949 from Anugrah Narayan Sinha to Chakradhar Sharan

Patna
12.12.49

प्रिय चक्रधर,

तुम्हारा पत्र 6.12.49 का मिला। शान्ति निकेतन के पते से भी तुम्हारे नाम से एक पत्र बाबू के प्रोग्राम की जानकारी के बारे में भेजवाया था, लेकिन तुम लोग वहां गए ही नहीं तो वह पत्र मिले कैसे। बाबू के समाचार से बहुत ही चिन्तित रहता हूँ लेकिन विश्वास है कि वर्धा के जलवायु परिवर्तन से शीघ्र ही अच्छे हो जाएंगे। मुझे भी 25 दिसम्बर को मेंसूर लेबर मिनिस्टर कांफ्रेंस में जाना है, और सोचता हूँ कि हवाई जहाज से रास्ते में वर्धा में उतर कर कुछ समय के लिए बाबू को भी देख लूँ। पता नहीं वर्धा में हवाई अड्डा कैसा है। मैं आ सकूंगा कि नहीं, तुम उनका कुशलादि समय समय पर लिखते रहोगे ऐसा मेरा विश्वास है।

डालमियां नगर के झगड़े की पंचायत के लिए जो वर्धा में 22 दिसम्बर रखा गया है उसकी खबर तुम्हारे पत्र से तथा अखिल भारतीय कां० क० के पत्र से मालूम हुआ। उसके अनुसार यहां से अधिकारी लोग जायेंगे।

तुम्हारे काम के लिए मेरे पास एक लोहे की अलमारी है जो अभी आई है और जिसकी लम्बाई चौड़ाई 6' × 3¼' × 1¾' है। मेरे ख्याल से यह अलमारी तुम्हारे लायक है। इसके भीतर में रुपये पैसे आदि रखने का भी सुरक्षित स्थान बना हुआ है। यदि तुम्हें यह पसन्द हो तो तुम इसे रख सकते हो।

तुम्हारा पहला पत्र एक महिला की सहायता के बारे में था, वह भी मुझे प्राप्त हुआ था। देखें मैं उनके लिए क्या कर सकता हूँ। विशेष कुशल है।

तुम्हारा,
अनुग्रह नारायण सिंह

26. *A note by Jugal Kishore Khanna, dated 16 December 1949*

During my recent visit to Santiniketan plans for illumination and designing of the calligraphed pages of the Constitution of India were discussed fully with Shri Nandalal Bose and his assistants, and the following arrangements were finalised:

1. That mill-bourne hand-made paper, samples of which had been sent to Santiniketan in advance, would meet the requirements of the artists and that hand-made paper made in Wardha will not be serviceable for the kind of work in view.

The other proposal considered was to use Nepali hand-made paper, but it was not readily available. The proposal was, therefore, dropped.

One hundred sheets of mill-bourne hand-made paper, 16" × 22", which I had taken with me, were made over to Shri Nandalal Bose.

2. That the artists at Santiniketan, who will work under the supervision of Shri Nandalal Bose, will send us at least 100 sheets with border illumination for calligraphy before the 23rd December 1949, and calligraphed pages completed by our calligraphist but without border illumination will be sent to Santiniketan for the purposes of illumination. More pages according to our requirements but not exceeding 350 in all (our Constitution book contains 200 pages) will follow later on and the work of calligraphy and border illumination would be completed by the 20th of January 1950.

3. That Shri Nandalal Bose, who concurred with the Hon'ble the Prime Minister's suggestion, would avoid multi-colour illumination. His plan is to have real gold spray on the margins and beautiful border illumination in rectangular form all round the space of 8" × 13" in the middle of the paper for calligraphy. It was suggested to Shri Bose that the work should be shown to Hon'ble the Prime Minister who is to visit Santiniketan on or about the 23rd December and his approval obtained.

4. That at the end of each Part (there are 22 Parts of our Constitution) a new page will be used for calligraphy and ¼ space on first page of each Part is to be left blank for historical designs and sketches.

5. That this work, namely, the designing of sketches, will be taken up by the artists after the 26th January 1950, when the members' signatures are obtained on the 24th and 25th January 1950.

6. Shri Bose was unable to give any estimate of the total cost of the illumination and designing work but it was gathered that it will not exceed a few thousand rupees. Shri Bose wanted a sum of Rs.700 as advance for the purchase of material etc., account of which will be rendered to us after the work is completed. Final bill will be received by us after completion of the whole work.

It will be remembered that some of the artists had quoted fabulous sums for this work and in our supplementary demand we had also provided a sum of about Rs.50,000 for the work. According to present estimate the whole work including the calligraphy will cost not more than Rs.5,000



Dr. Rajendra Prasad signing some important papers as President of the Constituent Assembly



Dr. Rajendra Prasad with Chakradhar Sharan (left) and Valmiki Choudhary (right),
on 24 January 1950

Secretary may sanction the advance of Rs.700 to Shri Nandalal Bose for purchase of material.

Jugal Kishore Khanna
16.12.49

Secretary
H.P.

27. A letter dated 17 December 1949 from Chakradhar Sharan to Anugrah Narayan Sinha

कैम्प, बजाजवाडी, वर्धा
१७-१२-४९

सादर प्रणाम,

ता० १२ दिसम्बर का भेजा कृपापत्र मिला। पूज्य बाबू जब से यहाँ आये हैं तबियत कुछ अच्छी तो नहीं हो सकी, पर काम चलाऊ अवश्य हो गई हैं। ता० १९ को वह लखनऊ जा रहे हैं। वहाँ उनको लखनऊ विश्व विद्यालय का इस बार का दीक्षान्त भाषण देना है। २१ को वह यहाँ चले आते हैं और इस मास के अन्त तक वे यहाँ रहेंगे। १ जनवरी को वे मद्रास जायेंगे और वहाँ से ४ ता० को नागपुर पहुँचकर ५ जनवरी को देहली लौटते हैं।

बंगलोर जाते समय आप वर्धा अवश्य आवें। वर्धा में कोई हवाई अड्डा नहीं है। नागपुर का हवाई अड्डा ही यहाँ के लिये सबसे नजदीक का हवाई अड्डा है। वह यहाँ से केवल ४० मील दूर है। रास्ता अच्छा है। जब आपके यहाँ आने को सूचना मिलेगी, आपको लेने के लिए मोटर भेज दी जायेगी। करीब डेढ़ घन्टा आने में लगता है। डालमियां नगर विवाचन के लिए तो आपने फोन किया है, और अब वह ७ जनवरी को देहली में होगा यदि आप सब लोगों को उसके लिये राजी कर सकें।

स्व० कमला प्रसाद की स्त्री के लिए आपने जो लिखा है उसे मैंने पू० बाबू को कह दिया है। यदि आपकी आज्ञा हो तो मैं उनकी स्त्री को लिख दूँ कि वह आपसे जाकर मिल ले।

लोहे की अलमारी के सम्बन्ध में आपने जो लिखा, मालूम हुआ। मुझे तो रोनिथी वालों की जैसी अलमारी, जैसी देहली में देखी थी वैसी ही अलमारी चाहिये थी। आपके पास जो अलमैरा है उसमें रुपये रखने का भी प्रबन्ध है पर रुपये कहां के उसमें रखे जाय। मुझे तो केवल कागजों और तस्वीरों के लिए ही उसका उपयोग करना चाहता हूँ। फिर आपकी जैसी राय हो। उस अलमारी के अतिरिक्त मैंने आपको (१,००० रु०) एक हजार रुपये के लिए भी कहा था। उसके लिए तो आपने अपने पत्र में कुछ लिखा ही नहीं। जब तक आपसे रुपये नहीं मिलेंगे मैं आपको लिखता ही रहूँगा और भेंट होने पर याद दिलाता रहूँगा।

इधर अखबारों में राष्ट्रपति के चुनाव पर जोरों की चर्चा चल रही है आपको याद होगा कि विलिट्ज नामक अखबारों में पहले तो राजाजी के विरुद्ध लेख था पर अभी हाल ही के अंक में उसने अपना रुख बदल दिया है। यदि वहाँ कहीं विलिट्ज मिले तो ता० १०/१२ का विलिट्ज मंगाकर देख लेना। मालूम होता है इन सब लेखों के पीछे किसी का हाथ है। मद्रास के स्वतंत्र नामक अखबार में मैंने इस तरह का लेख देखा है।

इन दिनों पूरी कोशिश इस बात की कि जा रही है कि पू० बाबू अपना नाम वापिस ले। विशेष कुशल।

आपका,
चक्रधर शरण

सेवा में
श्रद्धेय अनुग्रह नारायण सिंह
वित्त मंत्री, बिहार सरकार

28. Agenda for a meeting of the Bharatiya Itihas Parishad

भारतीय इतिहास परिषद्, बनारस
(तीसरी समिति की पांचवी बैठक)

१, क्वीन विक्टोरिया रोड, नई दिल्ली में २२ पौष २००६ वि. ६.१.५० की अपराह्ण साढ़े तीन बजे से।

उपस्थित:

१. माननीय डा. राजेन्द्र प्रसाद जी, अध्यक्ष।
२. प्रो. नीलकण्ठ शास्त्री।
३. पं. क्षेत्रेशचन्द्र चट्टोपाध्याय।
४. श्री जयचन्द्र विधालंकार।

1. समिति की ११ सितम्बर १९४८ की बैठक की कार्यवाही पढ़ी गई और स्वीकृत हुई।
2. निश्चय हुआ कि मंत्री बनारस पहुंच कर कार्यकर्ताओं को सूचना दे दें कि एक मास बाद उनकी सेवायें समाप्त हो जायेगी। इस बीच में इतिहास के चौथे भाग के चित्रों का संग्रह कर लिया जाय, छठे भाग का हिन्दी अनुवाद प्रेस को दे दिया जाय तथा चौथे भाग के हिन्दी अनुवाद का पक्का प्रबंध कर दिया जाय।
3. मन्त्री ने संवत् २००३, २००४, २००५ के आय व्यय के व्यौरे आय व्यय परीक्षक की विवरणी सहित तथा संवत् २००६ मार्गशीर्ष मास के अन्त तक का आय व्यय व्यौरा उपस्थित किया। ये सब स्वीकृत किये गये।

जयचन्द्र
मंत्री

29. Agenda for the ninth meeting of the Faridabad Development Board

New Delhi
6th January 1950

Agenda for the Ninth Meeting of the Faridabad Development Board to be

held at 5-30 p.m. on Saturday, the 7th January 1950, at No. 1, Queen Victoria Road, New Delhi:

1. The programme of building 4,000 houses at Faridabad before the next monsoon:
 - (a) Production of bricks and other materials for the houses and a time schedule for it.
 - (b) The responsibility of the Indian Cooperative Union in this work and whether contractors should be engaged.
2. Separation of the Board's staff from the East Punjab P.W.D. with effect from the 1st January 1950 and consequent arrangements with East Punjab Government.
3. Arrangements with the Auditor-General with regard to the control of the Board's expenditure:
 - (a) Responsibility of the Accountant-General, East Punjab;
 - (b) Responsibility of the Financial Adviser Shri S. Ratnam;
 - (c) Posting of accounts staff at Faridabad.
4. Arrangements for placing the Board in funds and method of drawing funds for the Board's expenditure.
5. Promulgation of Ordinance by East Punjab Government in respect of the Faridabad Board.
6. Any other matter.

Sudhir Ghosh
New Delhi

30. *Speech by Dr. Rajendra Prasad at the Third Annual Convocation of the University of Saugar held on 16 January 1950*

दीक्षान्त भाषण

श्री कुलपतिजी, आचार्यगण और स्नातक बंधुओ,

हम आज एक विपत्ति के समय में यहाँ मिल रहे हैं। इस युनिवर्सिटी के जन्मदाता, पिता और पोषक इसे शैशव अवस्था में छोड़कर चले गये हैं और इसे संसार के हजारों प्रकार के तूफानों और झंझटों के बीच होकर अभी गुजरना है। उन्होंने इसके लिये और विशेष करके इसके छात्रों के लिये एक ज्वलंत उदाहरण छोड़ा है जो हम सबको सभी कठिनाईयों का सामना करने में हमेशा प्रोत्साहित करता रहेगा। श्री हरिसिंह गौड़ ने एक साधारण स्थिति में जन्म लेकर प्रगाढ़ विद्वत्ता प्राप्त की और इतनी बड़ी धनराशि का उपार्जन किया। ऐसे तो संसार में बहुत लोग मिलते हैं जो अपने पराक्रम और पुरुषार्थ से बहुत धन पैदा कर लेते हैं। भारतवर्ष में और विदेशों में आज ऐसे बहुतेरे लोग वर्तमान हैं जो गरीबी से महल में पहुँचे हैं, अपने हाथों मजदूरी करके ऐसी उन्नति कर सके हैं जब वह हजारों हजार मजदूरों को अपने कारखानों में काम देने योग्य बन गये हैं। पर इस तरह के लोग विरले मिलते हैं जिन्होंने केवल धन उपार्जन ही नहीं किया; बल्कि उसका सदुपयोग भी किया अर्थात् जिन्होंने अपनी कमाई को परोपकार में इतने खुले दिल और खुले हाथों निःसंकोच लगा दिया। महात्मा गांधीजी कहा करते थे कि धनी लोगों को समझना चाहिये कि उनका धन

अपना नहीं है, अपने ऐश्वर्य में खर्च करने के लिये नहीं है, परन्तु दूसरों के लिये है और उसको वह यह समझ कर रखे कि वह केवल थातीदार मात्र हैं। ईशोपनिषद् के पहले ही मंत्र में इसी सत्य को सुन्दर रीति से कहा है—तेन त्यक्तेन भुञ्जीथाः— जगत को त्याग करके भोग करो अर्थात् उसमें आसक्त न हो, उसे अपना न समझो और त्याग करने में न हिचको। श्री हरिसिंह गौड़ ने उपनिषद् के इस वाक्य को अपने जीवन में सार्थक करके हमारे सामने रख दिया है। इस नवजात युनिवर्सिटी के लिये, इसके छात्रों के लिये उनके दान दिये हुए विपुल धन से भी अधिक कीमती यह उनका जीवित ज्वलंत दृष्टान्त है जो युनिवर्सिटी और उसके आचार्यों तथा छात्रों दोनों के जीवन के लिये अत्यन्त पौष्टिक सम्बल होगा। इसलिये यद्यपि यह शोक का समय है, हम इस शोक को भुलाकर श्री हरिसिंह गौड़ के रास्ते पर चलकर अपने जीवन को सुधार सकते हैं और संसार में अपना और दूसरों का हित किस तरह किया जाय सीख करके अग्रसर हो सकते हैं।

बहुत परिश्रम, तपस्या और त्याग के बाद देश स्वतंत्र हुआ है और आज से दस दिनों के भीतर ही एक लोकतन्त्रात्मक गणराज्य घोषित किया जाने वाला है। इस देश के इतिहास में नहीं, सारे संसार के इतिहास में यह एक अत्यन्त महत्वपूर्ण घटना होने वाली है। मनोविज्ञान के शास्त्री विद्वान् मानते हैं कि जब तक कोई वस्तु हासिल नहीं हो जाती तब तक वह मनुष्य के लिये अधिक कीमती मालूम पड़ती है और हासिल हो जाने पर उसकी उतनी कीमत नहीं मालूम होती। किसी वस्तु के लिये आशा और प्रयत्न में जितना आनन्द होता है उतना उसके भोग में नहीं। यदि यह बात सच है तो इसमें आश्चर्य नहीं कि जो घटना इस देश में घटी है और घट रही है उसकी महत्ता को हम शायद पूरी तरह आंक नहीं रहे हैं। यह देश सदियों की गुलामी से मुक्त होकर स्वतन्त्रता के स्वस्थ और सुखद वायु में सांस ले रहा है। इसके प्रतिनिधियों ने एकमत होकर अपने लिये लोकतन्त्रात्मक गणराज्य का संविधान तैयार किया है जो कश्मीर से कन्याकुमारी तक, काठियावाड़ कच्छ से कोकिनाडा, कटक और कामरूप तक फैला हुआ है। हमारे प्राचीन इतिहास में गणराज्यों का बहुत उल्लेख मिलता है। परन्तु वह गणराज्य छोटे-छोटे राज्य थे जिनका विस्तार बहुत कम था, जिनका राज्यक्षेत्र कुछ वर्ग कोसों तक ही सीमित था और वह बहुत करके एक दूसरे से सम्बन्धित नहीं रहते थे। जब कोई जवर्दस्त चक्रवर्ती हो जाता था तो उसका आधिपत्य मान लेते थे और अपना जीवन अपनी रीति पर चलाते चले जाते थे। भारत के इतिहास में यह पहला अवसर है कि जब यह सारा देश संविधान के एक सूत्र में बंध कर एक शासन के अधीन होकर रहेगा। यहाँ अनेक भाषायें बोली जाती हैं, अनेक धर्मों के अनुयायी यहाँ बसते हैं। सबके अपने-अपने उज्ज्वल और गौरवपूर्ण इतिहास हैं। तो भी सबों ने एक होकर एक गणराज्य में एक लोकतन्त्र के अधीन रहकर अपनी उन्नति करना निश्चय किया, यह एक ऐसी घटना है जिसका उदाहरण संसार के इतिहास में शायद नहीं मिले। योरोप को ही लेकर देखा जाय तो मालूम हो जायगा कि भाषा के कारण ही वहाँ के देश एक दूसरे से बाँटे पड़े हैं और उनमें अनेकानेक युद्ध हुए हैं और आज भी होने की तैयारियाँ हो रही हैं। जिनका शासन एक सूत्र में बाँधा हुआ है वे अपनी-अपनी भाषाओं का आग्रह नहीं छोड़ सकते और इस तरह स्विट्जरलैंड जैसे देश में भी, जो भारत के एक सूबे के बराबर है, राजकीय कामों के लिये तीन भाषायें व्यवहार में लायी जाती हैं। धर्म के इतने झगड़े आज भी चलते हैं कि कोई भी देश किसी दूसरे देश के साथ मिलकर रहना पसन्द नहीं करता। ऐसी अवस्था में भारत में यह चमत्कार हुआ है कि हम सर्वसम्मति से एक विधान बना सके। भारत का एक हिस्सा जो उसका अंग था, काटकर अलग कर दिया गया है और पाकिस्तान एक स्वतंत्र राज्य बन गया है। परन्तु तो भी जो अंश रह गया है वह कुछ कम नहीं है। उसकी आबादी सारे योरोप की आबादी के बराबर है यदि उसमें से रूस को छांट दिया जाय। न तो हिन्दू राजाओं के दिनों में और न मुसलमानी बादशाहत के जमाने और न अंग्रेजी राजकाल में सारा भारत इस प्रकार एक शासन सूत्र में बाँधा था। अंग्रेजी राजकाल में भी छोटी बड़ी ५६२ रियासतें ऐसी थीं जो अपना शासन अपने तरीके से चलाती थीं और जिनका भारत के उस हिस्से से जो ब्रिटिश साम्राज्य में था, कोई शासन-सम्बन्ध नहीं था। आज ये सभी रियासतें भारत में मिल गयी हैं और जो संविधान बना है उसके अन्तर्गत उनका भी शासन अन्य सूबों की तरह हुआ करेगा।

यह एक ऐसा कार्य हुआ है जिसको भावी इतिहासकार चमत्कार के नाम से पुकारेंगे और जिसका उल्लेख संसार के इतिहास में हुआ करेगा।

केवल संविधान से ही सच्चे अर्थों में देश और राष्ट्र की सच्ची सेवा नहीं हो सकती। संविधान तो एक प्रकार का नियम मात्र है और तभी काम दे सकता है जब इसके संचालक, सुधारक और सच्चे सेवक हों। शिक्षा-संस्थाओं का, जिनमें युनिवर्सिटी और विद्यापीठ का बहुत ही ऊँचा स्थान है, कर्तव्य है कि इस प्रकार के सेवक तैयार करें और सारी जनता को इस योग्य बनावें कि वे संविधान का अच्छा से अच्छा उपयोग कर सकें और उससे अधिक से अधिक लाभ उठा सकें। अभी हाल ही में भारत सरकार ने एक कमीशन नियुक्त किया था और उस कमीशन ने अपनी रिपोर्ट प्रकाशित कर दी है। यह संतोष का विषय है कि उस कमीशन ने ऐसे विषय पर पूरा ध्यान दिया है। उसने संविधान के उद्देश्यों का बहुत ही सारगर्भित विवेचन किया है और अपनी रिपोर्ट इस दृष्टि से तैयार की है कि हमारी युनिवर्सिटीयाँ किस तरह से काम चलावें जिससे लोग ऐसे योग्य बनें जो देश को समुन्नत बनाने में सहायक हो सकें। हमारा संविधान चाहता है कि देश के सभी नागरिकों को न्याय, स्वतंत्रता और समता प्राप्त हो और सब लोगों में भ्रातृभाव का प्रसार हो। यदि हम इन उच्च और व्यापक आदर्शों को देश के जीवन में समाविष्ट करा सकें तो और किसी चीज की अपेक्षा न रह जाय। प्रजातंत्र का मूल व्यक्ति में है। समाज व्यक्तियों का समूह है इसलिए समाज की उन्नति व्यक्ति की उन्नति पर निर्भर है और उसके साथ सम्बद्ध है। शिक्षा व्यक्ति की उन्नति और विकास का साधन है और वह ऐसी होनी चाहिये जो व्यक्ति की सर्वतोमुखी उन्नति करने में समर्थ हो। इसलिए हमारी शिक्षापद्धति को ऐसे सुधारों की अपेक्षा है जो हमारे इस संविधान के योग्य नागरिक तैयार कर सकें। युनिवर्सिटी कमीशन ने इस उद्देश्य को सामने रख कर प्रचलित पद्धति के सुधार का सुझाव पेश किया है।

जब ब्रिटिश राज्य की स्थापना हुई और उसका प्रभाव जम गया तब से उन्होंने शिक्षा प्रचार का काम किया है; पर उसका एक विशेष उद्देश्य रहा है। वह उद्देश्य संकुचित था। इसलिए यद्यपि अंग्रेजी शिक्षा प्राप्त बहुतेरे लोगों ने बहुत ही प्रख्याति पायी तो भी हम संसार की प्रगति में कोई विशेष अपना हिस्सा नहीं ले सके। भारत में अंग्रेजी शिक्षा का आरम्भ उस युग के आरम्भ के ४०, ५० वर्षों के अन्दर ही आरम्भ हुआ जिसने वैज्ञानिक आविष्कारों का सिलसिला जारी किया और प्रकृति की शक्ति से काम लेकर मानव शक्ति को बढ़ाना अपना ध्येय रखा। पर इस वैज्ञानिक युग में हमारे देश की बहुत थोड़ी ही देन है जो प्रायः नहीं के बराबर है। इतना ही नहीं, जो दूसरे देश वैज्ञानिक आविष्कारों से लाभ उठा सके, हम वह भी नहीं कर पाये; क्योंकि हमारा ध्यान उस ओर गया ही नहीं और अगर गया भी तो साधन के अभाव में हम कुछ कर नहीं पाये। विज्ञान की शिक्षा एक तो बहुत ही सीमित रही और वह भी क्रियात्मक नहीं हो पायी, पुस्तकी मात्र रह गयी। इस तरह देश की शिक्षा ऐसी होती रही जिसमें युग का विशेष दान अर्थात् विज्ञान और वैज्ञानिक आविष्कारों और वैज्ञानिक आविष्कारों द्वारा कृषि, कारबार और वाणिज्य की उन्नति हम कुछ नहीं कर पाये। इससे यह नहीं समझना चाहिये कि भारतवासियों में कोई ऐसी कमी है जिसके कारण वह इन आविष्कारों से लाभ नहीं उठा सके। हमारी यह कमजोरी तो इस कारण है कि कोई हमको लाभ उठाने का मौका ही नहीं मिला और न हमारी शिक्षा ही ऐसी हुई कि हम उनका महत्व समझें और उनसे लाभ उठाने का प्रयत्न करें। शिक्षा बहुत करके इसलिये और इस रूप से दी गयी कि ऐसे लोग तैयार हों जो शासन को चलाने में सहायक हो सकें। अंग्रेजी साहित्य उन्नत साहित्य है। स्वतंत्रताप्रिय लोगों का साहित्य है और उसके अध्ययन से ही स्वतंत्रता के उद्देश्य को समझने की इच्छा उगी और हम देश की आजादी का सुखद स्वप्न देखने लगे। पर अन्य प्रकार से हम इतने निकम्मे थे कि न कोई अपना रास्ता निकाल सकते थे और न कुछ देख सकते थे। अब जब हम स्वतंत्र हो गये हैं तो हमें वह शिक्षापद्धति बदलनी है। हमें वह प्राप्त स्वतंत्रता वचा रखनी है, पर केवल राजनैतिक स्वतंत्रता ही काफी नहीं है। इसके साथ-साथ सारे समाज का संगठन बदलना है जिसमें कोई किसी का शोषण न करे, सब लोग सुखी रहें और हम हर प्रकार की उन्नति कर सकें—वैज्ञानिक, मानसिक, आध्यात्मिक और भौतिक। महात्मागांधी का कथन था कि

बुनियादी तालीम उसी दिन आरम्भ होती है जिस दिन शिशु गर्भ में आता है और उस दिन तक होती रहती है जिस दिन उसका शरीर भस्मीभूत हो जाता है। इसलिए यह शिक्षापद्धति जीवन के सभी अंशों और अंग को प्रभावित करती है।

हम एक-एक विषय पर थोड़ा ध्यान दें तो अच्छा होगा। सबसे पहले आवश्यक है अपने शरीर को स्वस्थ और पुष्ट बनाना और उसके लिये जो कुछ आवश्यक है उसे करना। हमारी प्राचीन परिपाटी आज की तरह केवल अक्षर-ज्ञान को विशेष महत्व नहीं देती है, क्योंकि अक्षर तो अर्जित ज्ञान को सुरक्षित रखने के लिए एक साधनमात्र है। पहली चीज तो ज्ञान है। यदि वह प्राप्त हो जाय तो उसे सुरक्षित रखना और उससे लाभ उठाना किसी प्रकार हो जाता है। हमारी प्राथमिक शिक्षापद्धति कुछ ऐसी रही है कि ज्ञान की ओर कम ध्यान रहा जिसका यह नतीजा हुआ कि हमने जो कुछ सीखा उसकी गहराई तक हम नहीं पहुँचे क्योंकि हमारे जीवन का वह उस तरह का अंग नहीं बन सका जैसा कि उन देशों के लोगों का जहाँ से वह हमको मिला था। जो चीज हमारा अंग बन सकती थी वह हमें नहीं मिली। इसका नतीजा यह हुआ कि न तो हम अपने प्राचीन संस्कार की कुछ उन्नति कर सकें और न विदेशी संस्कार पूरी तरह ग्रहण कर सकें। विदेशी संस्कार हम पूरी तरह ग्रहण कर भी नहीं सकते थे, क्योंकि कोई रंग साफ कपड़े पर ही आसानी से चढ़ सकता है और यदि कपड़ा पहले ही से रंगा हो तो अन्य रंग का चढ़ना असम्भव नहीं तो कठिन अवश्य है। हो सकता है कि अन्य रंग चढ़ाना अच्छा भी नहीं हो और उसका प्रयत्न केवल असफल ही न रहे; बल्कि उसका फल हानिकर भी साबित हो। इसलिये यह आवश्यक हो गया है कि शिक्षापद्धति पर मौलिक रूप से विचार किया जाय। पहला प्रश्न जिस पर विचार करना आवश्यक है वह यह है कि शिक्षा का माध्यम क्या हो। यह एक ऐसा प्रश्न है जिस पर विचार करना भी कुछ लोगों को जो देश की अवस्था से वाकिफ नहीं हैं, हास्यास्पद जान पड़ता है। पर आज की परिस्थिति ऐसी है कि यह प्रश्न विचारणीय है। इस देश में बहुत दिनों से शिक्षा का माध्यम विदेशी भाषा रही है। आज से कुछ वर्ष पहले बच्चों को जो शिक्षा मिलती थी वह अंग्रेजी के माध्यम द्वारा ही। पर पिछले कुछ दिनों से यह बात मान ली गयी है कि बच्चों को शिक्षा मातृभाषा द्वारा ही दी जा सकती है और अभी थोड़े दिनों से यह बात मान ली गयी है कि स्कूलों में ऊँची कक्षाओं में भी मातृभाषा द्वारा ही शिक्षा दी जाये। पर अभी तक यह बात सर्वसम्मति से स्वीकृत नहीं हुई है और हमारी युनिवर्सिटीयों ने अभी तक यह बात नहीं मानी है कि युनिवर्सिटी में भी मातृभाषा द्वारा ही शिक्षा होनी चाहिये। जो यह मानते भी हैं कि ऐसा होना चाहिये वह भी आज बहुत करके यह नहीं मानते कि अभी यह सम्भव है। इसका फल यह है कि यद्यपि इस देश में इतने दिनों से अंग्रेजी शिक्षा का प्रचार होता रहा है तथापि आज देशी भाषाओं में उच्च शिक्षा की शिक्षा के लिये ग्रन्थ नहीं मिलते और एक स्थिति पैदा हो गयी है जिसमें ग्रन्थों के अभाव के कारण देशी भाषाओं में उच्च शिक्षा देना असम्भव कहा जाता है और उच्च शिक्षा के अभाव में देशी भाषाओं के ग्रन्थों का निर्माण असम्भव कहा जाता है। उस चक्कर से निकलने का एक ही रास्ता हो सकता है और वह यह है कि उच्च शिक्षा देशी भाषाओं में आरम्भ कर दी जाये। जहाँ यह काम आरम्भ किया गया है वहाँ काफी सफलता मिल रही है और इसमें संदेह नहीं कि थोड़े ही दिनों में आवश्यक ग्रन्थ तैयार हो जायेंगे और यह कमी दूर हो जायगी। हो सकता है कि कुछ दिनों तक बहुत उच्च कोटि के ग्रन्थ नहीं मिलें पर एक ओर तो त्रुटि उच्च कोटि के ग्रन्थों के अभाव के कारण रह जायगी पर दूसरी ओर विषय के सुलभ और सहजगम्य हो जाने से ऐसा लाभ पहुँचेगा जो बहुमूल्य होगा। इसलिये कोई कारण नहीं कि इसमें कोई विलम्ब किया जाय।

इसका यह अर्थ नहीं है कि अंग्रेजी भाषा न सीखी जाय। अंग्रेजी उन्नत और लचकदार भाषा है। उसका साहित्य बहुत बड़ा है और आज दुनिया के प्रायः सभी देशों में इसके जाननेवाले बहुत मिलते हैं। वह अन्तर्राष्ट्रीय कामों के लिये एक आवश्यक भाषा बन गयी है और वैज्ञानिक साहित्य भी उसमें प्रचुर मात्रा में मौजूद हैं और दिनोदिन बनता जा रहा है। ऐसी अवस्था में भारतवासी उसके ज्ञान से वंचित नहीं किये जा सकते। ऐसा करना देश के लिये हानिकर होगा। पर किसी भाषा को अपने उपयोग के लिए सीखना एक

वात है और उसको शिक्षा का माध्यम बना देना दूसरी बात है। उसे माध्यम बना देने का नतीजा जो हुआ है वह इस देश के लोगों से छिपा नहीं है। इसलिये अंग्रेजी भाषा को हमारे पाठ्यक्रम में स्थान रहने देना चाहिये पर वह हमारी शिक्षा का माध्यम नहीं हो सकती।

जो युनिवर्सिटी सागर युनिवर्सिटी की तरह हिन्दीभाषी प्रान्तों में हैं उनकी शिक्षा का माध्यम हिन्दी ही हो सकती है। इसलिये इस युनिवर्सिटी में शिक्षा का माध्यम हिन्दी जहाँ तक अभी नहीं हो पायी है, हो जानी चाहिये, पर ऐसी युनिवर्सिटियों पर एक और भी जिम्मेदारी आ गयी है। संविधान में हिन्दी सार्वदेशिक सरकारी कामों के लिये भाषा मान ली गयी है और कुछ दिनों के बाद इस तरह के सब काम हिन्दी में ही होने लगेंगे। इस निश्चय को उन प्रदेशों के प्रतिनिधियों ने भी मान लिया है जहाँ दूसरी भाषा बोली जाती है। उन प्रदेशों के लोगों को हिन्दी का ज्ञान आवश्यक है। उनको १५ वर्ष की अवधि दी गयी है जिसमें वह इस ज्ञान को प्राप्त कर लें, पर इसका यह अर्थ नहीं है कि हिन्दी की शिक्षा १५ वर्षों तक स्थगित रखी जाय। वह शिक्षा अविलम्ब आरम्भ होनी चाहिये जिसमें वह १५ वर्षों में पूरा ज्ञान प्राप्त कर लें। उनका कर्तव्य है कि वह आज से ही सीखना शुरू कर दें। हिन्दी प्रान्तों की युनिवर्सिटियों का यह कर्तव्य है कि वह इस काम में उनकी सहायता करें। वह यह सहायता कई तरह से कर सकती हैं। हिन्दी साहित्य को इतना उन्नत और समृद्ध बना देना चाहिये कि अन्य भाषाभाषियों को हिन्दी सीखने का खुद चाव हो जाय। वह साहित्य इतना भरपूर होना चाहिये कि चाहे जिस विषय का अभ्यासी क्यों न हो, उसके लिये योग्य और उपयोगी ग्रन्थ मिल जायें। उच्च कोटि का साहित्य केवल नकल करने से अथवा अनुवाद करने से नहीं बन सकता है। मौलिकता आवश्यक है। इसलिये जब प्रतिभाशाली लेखक और विद्वान् जो अपने-अपने विषय के अधिकारी हों, ग्रन्थ लिखने लगेंगे, उस कोटि का साहित्य तैयार हो सकेगा जिसको अन्य भाषाभाषी चाव से पढ़ेंगे। यदि युनिवर्सिटी और विद्यापीठ अपने को विद्वानों का संगठित समूह न बना सकें तो उनका उद्देश्य पूरा हुआ नहीं कहा जा सकता। मैं आशा करता हूँ कि यह युनिवर्सिटी ऐसी बनेगी और इसमें अध्यापकों, आचार्यों और विद्यार्थियों का सहयोग अपेक्षित है। वह पूर्ण मात्रा में मिलना चाहिये।

हमारे विद्यालयों में एक दूसरी त्रुटि यह रही है कि विद्यार्थियों के आचरण की ओर ध्यान नहीं दिया जाता रहा है। हमारे विद्यालय विशेष करके उच्च कोटि के बड़े-बड़े शहरों में स्थापित हैं। विद्यार्थी बहुत करके गाँवों से आते हैं और उनमें अभ्यास करते हैं। एक तो गाँव से आकर बड़े शहरों के नये प्रवाह में पड़कर वह जाते हैं, दूसरे पारिवारिक जीवन द्वारा जो संयम सुलभ होता है उससे वह वंचित हो जाते हैं। कोई धार्मिक सहारा भी उनको नहीं मिलता। इसलिये चरित्र-गठन में शिक्षा का प्रभाव नहीं के बराबर पड़ता है। इसका अर्थ यह नहीं है कि हमारे शिक्षित वर्ग में चरित्र का अभाव है। समाज और परिवार छूटते नहीं, अच्छे ग्रन्थ पढ़ने को मिलते ही हैं, इनका असर चरित्र पर पड़े बिना नहीं रह सकता। इसलिये चरित्र एक प्रकार से बनता ही है पर यदि उस ओर ध्यान दिया जाता और हमारी पद्धति में ही कुछ क्रियात्मक रूप से चरित्र-गठन सम्बन्धी शिक्षा मिलती तो उसका प्रभाव बहुत अच्छा पड़ता और हमारे युवक बिना पतवार के नाव न बन जाते जो वायु के झोंकों से जिधर तिधर बहता फिरे।

हमारे संविधान में देश के सभी बालिगों को मताधिकार दिया गया है। हमारे शासक इसी बालिग मताधिकार द्वारा चुने जायेंगे। मत देनेवाले तभी योग्य व्यक्तियों को चुन सकेंगे जब उनमें इतनी योग्यता होगी कि वह गुण-दोष विवेकपूर्वक समझ सकें और देशहित को सामने रखकर सच्चे लोगों को ही चुनें। आज भी तरह-तरह के विचार जनता के सामने रखे जा रहे हैं। उसको इतना ज्ञान और विवेक होना चाहिए कि वह अपना और देश का हित किस विचारधारा से अधिक सध सकता है, इसको समझ सके। यह कठिन काम है, पर इसके बिना सच्चा लोकतंत्र नहीं बन सकता और न सफल हो सकता है। जनमत को शिक्षित करने का प्रत्येक को अधिकार है और इसलिये सभी विचारधाराओं को पूर्ण स्वतंत्रता है कि वह जनमत को अपनी ओर लावें। यहीं पर चरित्र की आवश्यकता होती है और जाँच भी होती है। यदि साधन और साध्य में सामंजस्य होना आवश्यक न समझा जावे तो सुन्दर से सुन्दर साध्य के लिये भी अनुचित और अनर्गल

साधन व्यवहार में लाये जा सकते हैं। देश को ऐसे लोगों की आवश्यकता है जो प्रमाणिक हों, चरित्रवान हों, और सफलता के प्रलोभन में पड़कर कोई भी अयोग्य साधन को व्यवहार में न लावें।

जो शासक बनने की अभिलाषा और महत्वाकांक्षा रखते हैं उनके लिये तो सचरित्र होना अनिवार्य है। सबसे पहली चीज उनको यह सीखानी होगी कि सच्चे लोकतंत्र के कोई शासक नहीं होते, केवल सेवक ही हुआ करते हैं। शासक का अर्थ ही है शोषक। वही शासक शोषक नहीं है जो सेवक है। इसलिये जिस किसी की अभिलाषा हो कि वह संविधान के अनुसार देश का कुछ काम करे तो उसको पहिले अपने चरित्र को शुद्ध और निर्मल बनाना चाहिये और सेवक बनने की इच्छा ही अपनी सबसे ऊँची अभिलाषा और महत्वाकांक्षा बनानी चाहिये। आज तक हम जो विश्वविद्यालयों में शिक्षा पाते रहे हैं वह दोरुखी शिक्षा थी। एक ओर तो हमको इस योग्य बनाया जाता था कि हम उन लोगों में जो हमसे ऊपर हैं उनकी खुशामद करें और दूसरी ओर हम उस तरह तैयार किये जाते थे जो संयोगवश हमसे नीचे हैं उनका हम तिरस्कार करें। विदेशी शासन कोई दूसरा रवैया अख्तियार कर भी नहीं सकता था। उसको नीचे के शासक तैयार करने थे और वह ऐसे ही लोग हो सकते थे जो अपने प्रभुओं के पास और जनता के शासक हों। हमें आज इस पद्धति को बदलकर ऐसे लोगों को तैयार करना है जो अपने को सवका दास समझे और जनता भी इस तरह ही से शिक्षित हो कि वह जो दास हो उसकी दासी बन जावे। जब तक यह परस्पर का संबंध स्थापित नहीं होगा, सच्चा प्रजातंत्र नहीं बन सकता।

कोई भी समाज हो, उसके व्यक्तियों पर नियंत्रण और शासन केवल पुलिस और सेना द्वारा नहीं किया जा सकता। जब तक उसके व्यक्ति अपना नियंत्रण स्वयं न करें, वह पूरी तरह सफल नहीं हो सकता। समाज की शासन-पद्धति उसी अंश में सफल होती है और सफल समझी जानी चाहिये जिस अंश में उसके व्यक्ति अपने लिये शासन अनावश्यक साबित कर दें अर्थात् अपना नियंत्रण और शासन वह स्वयं इस तरह करें जिसमें दूसरे शासन की आवश्यकता न रह जावे। महात्मा गांधी सत्याग्रह के सम्बन्ध में कहा करते थे कि वही भद्र अवज्ञा का अधिकारी है जो आज्ञा पालन करना जानते हैं और करते हैं। इसका अर्थ यही है कि समाज की श्रृंखला तभी तक दृढ़ रह सकती है जब तक इस समाज के व्यक्ति अपने को नियन्त्रित और सुशासित रखें।

जहाँ पर कोई दूसरा अधिकार प्राप्त करे और बाहर से शासन करें वहाँ सच्ची स्वतंत्रता नहीं रह जाती है और जहाँ स्वतंत्रता नहीं वहाँ प्रजातंत्र नहीं। इसलिये हम जिस प्रजातंत्र को स्थापित करना चाहते हैं उसमें व्यक्ति प्रधान है और व्यक्ति में भी अपने को नियन्त्रित और शासित रखने का गुण प्रधान है। यदि ऐसा न होकर हम समष्टि को प्रधानता देते हैं और समष्टि अपने नियंत्रण द्वारा व्यक्ति को नियन्त्रित रखना चाहेगी तो ऐसी स्थिति आ जाने का भय रहेगा जिसमें व्यक्ति के लिए कोई स्थान ही नहीं रह जायगा और समष्टि ही सर्वोपरि और सर्वप्रधान बन जाती है और व्यक्ति का वही स्थान रह जाता है जो एक बड़े कल के किसी एक छोटे पुर्जे का जो स्वयं कुछ न तो कर सकता है और न किसी काम का रह जाता है। आज देश के सामने ऐसी विचारधाराएँ भी हैं जिनका यह ध्येय नहीं भी हो तो भी नतीजा यह अवश्य होगा कि व्यक्ति का महत्व और घटे और घटते-घटते नष्टप्राय हो जावें और उसके स्थान पर समष्टि सर्वोपरि हो जावे। मैं इस देश और समाज के लिये हानिकर मानता हूँ और इसलिये चाहता हूँ कि जिस प्रजातंत्र को हम चाहते हैं वह सच्चा प्रजातंत्र हो जो व्यक्ति के व्यक्तित्व पर स्थापित हो और उस व्यक्ति को सदा उन्नत बनाता जावे।

मैं उन सभी विद्यार्थियों को जिन्होंने आज पदवी पायी है, बधाई देता हूँ और जिस महत्वपूर्ण सेवा की देश उनसे अपेक्षा रखता है उसके योग्य वह अपने को साबित कर सकें यह मेरा उनके प्रति आशिर्वाद है। मैंने जो कुछ ऊपर कहा है वह आज की स्थिति में पूर्णतया संगत है और यदि यह युनिवर्सिटी और इसके आचार्य और छात्र लोकतंत्र की सेवा के योग्य अपने को साबित कर सकें तो देश का और उनके निज का कल्याण होगा।

31. *Draft resolution submitted by Gulzarilal Nanda on 19 January 1950 regarding the setting up of a Statutory Planning Commission*

The recognition of the vital role of planning in the development of our national economy and the realisation of people's aspirations for social justice and progress led to the appointment of the National Planning Committee in the year 1938. Working under the limitations, inseparable from the political conditions of the period in which it functioned, the Committee achieved valuable results in making the conception of planning familiar in the country and in carrying through a great deal of spade-work.

In modern conditions of life no country can hope to administer its affairs with success or with any degree of satisfaction to the mass of the people without recourse to the powerful instrument of social and economic planning. The need for a comprehensive plan has become a matter of compelling urgency in India now owing to the ravages of the Second World War and the economic and political consequences of the partition of the country which followed in the wake of the achievement of freedom, and the steady worsening of the situation for want of co-ordinated thought and action in the economic sphere.

The tasks of a Planning Body for India have already been set by the course of the country's struggle for freedom. What the economic content of the people's freedom would be has been indicated in general terms in the resolutions and manifestos of the Indian National Congress, in the pronouncements of Mahatma Gandhi and other Congress leaders and in the Congress Economic Programme.

The vision which inspired the people of India through the various phases of the non-violent revolution which made the country free was of a land from which poverty, unemployment, ignorance, inequality and exploitation would be banished and in which every person would find work suitable to his talents and capacity and have the wherewithal of a decent life. With the achievement of complete independence it becomes the paramount duty of the Congress to take immediate steps for the fulfilment of its solemn pledges and for producing the conditions in which the people's creative energies and enthusiasm can be evoked and harnessed in the fullest measure in the great endeavour to bring into being a just and happy social order.

The Constitution which the people of India have now adopted embodies certain Directive Principles of State Policy which have also an intimate bearing on the forms of social and economic organisation to be evolved and which must be rendered in terms of programmes of action to be formulated by the Planning authority.

With a view to assuring that the pattern of economic life and action to be developed in the country conforms fully to the aforesaid aims and directives, and that the declarations of the Congress and the intentions of the Constitution with regard to the social and economic relations and conditions which should prevail in the country are made effective in as short a time as possible, it is imperative

that a Statutory Planning Commission be set up by the Government of India as soon as possible.

The Planning Commission should be a whole-time body composed of five persons, whose selection is made primarily with the view that the outlook of the Commission is in harmony with the basic ideas which should govern the plan and that it possesses a comprehensive understanding of social, political and economic needs and conditions of the country.

The Commission should be assisted by Boards of Experts who may together be able to provide it with all the information and advice necessary for the adequate performance of its functions. The Commission should be equipped with a special statistical organisation and should be in a position to make use of the administrative machinery of the country for the collection of requisite statistical and factual material. In order to bring the plan and its execution into tune with the needs and aspirations of the people, the Commission should devise measures to secure the association of the people and elicit democratic expression of their opinion at all levels.

The principal objectives to be realised through such a plan are:

- (1) the establishment of a just order of society, providing for (i) the operation of the principles of decentralisation, cooperation, and individual freedom to the utmost feasible extent, (ii) equal opportunity for all, (iii) adequate means of living for all, (iv) just and humane conditions of work, and (v) the growth of the human personality in all its aspects;
- (2) adequate and expanding volume of production to secure progressive rise in the standard of living and the achievement of a national minimum in respect of all the essentials for physical and social well-being, within a reasonable period;
- (3) the progressive elimination of social, political and economic exploitation and inequality, the motive of private gain in economic activity or organisation of society and the anti-social concentration of wealth and means of production;
- (4) the best utilisation of the material and human resources of the nation and the improvement of the skill and capacity of its manpower by suitable technical education and training;
- (5) full employment of a kind which will draw out the best in every individual in the service of the community and secure the highest development of human personality;
- (6) as near an approach to national and regional self-sufficiency as would be compatible with the requirements of an adequate standard of living and the country's internal and external security;
- (7) a proper balance between rural and urban economy and an equitable exchange relation between agricultural and non-agricultural products.

The Planning Commission will have the following terms of reference:

- (1) To make a full survey of the resources and the requirements of the nation.
- (2) To work out a proper allocation and distribution of the resources and their constant adjustment to the changing requirements with a view to obtaining the speediest and the maximum realisation of the objectives of the plan.
- (3) To lay down the various stages, each covering a defined period for the development of the country's economy and to undertake the necessary preparatory work in connection with each stage.
- (4) To secure full and all-round co-ordination in the process of planning and in the execution of the plan.

32. *A note by Gulzarilal Nanda, dated 19 January 1950, on Planning Commission*

I have to offer a word of explanation. In the draft resolution regarding the setting up of the Planning Commission which I submitted at the instance of the Committee I merely gave a connected expression to various ideas which have so far entered into the thinking of the Congress on the subject. I have to state that personally I entertain serious misgivings about the smooth working of the Planning Body such as is being visualised. A plan is not a body of recommendations of a reporting committee which may be accepted or rejected in parts. The part which will be rejected may be found by the Planning Commission to dislocate the entire structure of its creation, rendering the Commission incapable of taking any further responsibility. It may be urged that even without executive power the Planning Commission will acquire prestige and authority which may win acceptance for all the essential provisions of its proposals. Past experience points to the probability that the pull of political forces and sectional interests will prove too strong for the maintenance of a consistent direction of a policy based on scientific planning. Unless either by law or by convention the requirements of the plan with such adjustments as may be mutually agreed between the Planning Authority and the Government are permitted to override all other pleas and claims, the whole idea of planning will be discredited and the demoralisation of the people will become so much worse. Government's own prestige will go down further. A vigorous Congress organisation conscious of its role and responsibility should provide the necessary cementing and driving force behind any plan that may be devised.

But the need of the moment remains that there should be much more cohesion and co-ordination in the declarations of the Governments. A way has also to be found to give a somewhat binding character to the findings of the Planning Body, at the Government level. To obviate the objection that it would amount to setting up a super cabinet the Planning Body may in some manner be integrated with the Government machinery.

There is another aspect of the question which also presents a difficult problem. Planning, if it is to be real, would involve an all-embracing control. To make such

a thing work in a democratic system presupposes, besides the support of Government, a very large measure of cooperation of those who participate in the productive activity, viz., merchants, financiers, employers and labour as also the general community. The cooperation of the community has to be linked up with a radical reform of the Congress organisation. The approach to industry and trade is almost entirely a matter for the Government. These interests have much to say against the manner in which our controls are being administered at present and we have not yet succeeded in making them help us to do things better. If they do not fill themselves into the new framework, the resulting conflict will break the plan. The alternative of drastic action is not open to Government in the present conditions. Government is, therefore, placed under the compulsion to take them into confidence and enlist their active cooperation. Our attitude to the business community was discussed in the Committee in connection with the wording of the draft. Even if we say nothing which may prove in the least degree unacceptable to them, we cannot count on keeping them with us merely by doing so. A negative approach will not suffice. Something will have to be done positively to secure their backing, coupled with the consciousness that it would involve sacrifices on their part and considerable surrender of their private interests.

For this they will have themselves to muster a much better mutual understanding, unity and leadership than they have at present. This is a matter of crucial importance which has not been tackled with any sense of purpose. The result is that we are being abused and are not getting any results. If this state of affairs is to continue we may as well not have any planning. Unless we are prepared to find some way out of this impasse the adoption of a resolution on this subject will be an unreal performance. The stand of the Committee should be made clear regarding these issues.

G.L. Nanda
19.1.1950

33. *A note by Shankarrao Deo on economic policy*

PART I

Speaking in the Nagpur University Convocation, Panditji is reported to have said with reference to the proclamation of the Republic of India on January 26th: "While perhaps we have fulfilled promises in the sense of keeping to the letter of the word, how far we have fulfilled them in spirit! That doubt creeps upon my mind, and that doubt will now create in your minds a sense of lack of fulfilment which otherwise you would not have."

In his Bombay speech, Sardar Patel instanced the lack of enthusiasm and energy which he presently noticed in Bombay as a true pointer to the existing

discontentment and unhappiness throughout the country.

Dr. V.K.R.V. Rao, President of the thirty-second session of the Indian Economic Conference, observes: "Speeches were made from time to time for hard work and sacrifice and evoked no response from the population. The immense psychological capital following the advent of independence was allowed to be frittered away."

Fervour—Apathy—Antagonism

On all hands it is now admitted that while in our foreign policy our Government and the country have successfully maintained a course quite consistent with our previous declaration of peace and progress by keeping out of the two power blocs, the Communist and the Capitalist, on our national front, specially in the economic sector, due to vacillation, weakness and indecision, the policy of the Government, I am afraid, has succeeded in changing the mood of the people from fervour to apathy and from apathy to the verge of antagonism. And I feel that the people of the country can be kept in this present mood at the peril of a grave social disorder. We must not forget that politics of the unpolitical masses often turns the course of history.

Communist China—A New Factor in Policy-making

After the establishment of Communist regime in China and its recognition by our own Government as well as by Britain, the present discontentment and the consequent apathy and antagonism of the common man may any day be whipped up by already existing destructive forces into a revolutionary situation. It is to be appreciated that the success of Communist forces in China and the recognition of that regime by our Government and that of Great Britain is a turning point in the course of life and society in this part of the world. *We must think anew and decide our course of action from a new point of view.* It is a compelling circumstance.

I have used the term revolutionary situation and with due deliberation. I am convinced that what was not there a year before or even six months before, is there today in the minds of the people in this country. What was mere criticism and sterile ill-advised action may any day be given the shape of an ideological upheaval. The nearness of a Communist China is to be reckoned with. I prelude my note by these observations so that in deciding our course of action and our economic policy we will keep in mind the possibility of a grave social disorder.

Why Disillusionment?

Before deciding on a course of action, let us analyse the factors responsible for this disillusionment, apathy and antagonism. Disillusionment is inevitable when there is a gap—a yawning gap—between what is promised and what is achieved.

We certainly promised to our people a new heaven and a new earth after freedom. As Panditji has said in his Nagpur address, "We never envisaged freedom as something legal. . . . We thought always in terms of raising the standard of living of hundreds and millions of our people and of giving them the necessities of life as well as those other equalities and opportunities that should be provided to every human being."

I think we will all admit that in giving a positive content to Swaraj, while every soldier of freedom made his contribution, the two personalities that stand out head and shoulders are Mahatma Gandhi and Pandit Jawaharlal Nehru. Gandhiji wanted to remove the gap between a prince and a peasant and to make a man of wealth a trustee of the society and to establish *Ram Raj*. His method was truth and non-violence. Panditji is the pioneer of socialist thought in the country. While there was difference in the approach to the objective, to the common man, to the illiterate masses of India, the appeal of both these personalities lay in the fact that if the country became free and if these two persons had any say in the government which would rule after freedom, the capitalist society would end and be replaced by a society in which there would be no exploitation, no glaring inequalities and no unemployment. A decent standard of living would be assured to all before there might be luxury in the country. Panditji himself has said only the other day in his Nagpur address, "The first objective for them was to supply the bare necessities of life to the millions of people, to remove, to lessen the great gap which exists today in India between the fortunate and the unfortunate."

Our Pledges

As a matter of fact in all resolutions passed by the Congress since Karachi, *emphasis has been laid equally on production as well as on distribution*. Whatever might be the level of prices today, the idea of maximum income of Rs.500 has found a perpetual corner in the minds of the people. No argument, however sound, can explain it away. We wanted to nationalise our key industries. We wanted to revolutionise our land system in the agrarian programme of Faizpur. We wanted to recast society in the two Election Manifestos. We wanted to have a planned economy and became committed to it by the appointment of a National Planning Committee by the Congress President, Shri Subhas Chandra Bose. After the attainment of freedom we had an Economic Programme Committee which chalked out a full programme for recasting our national economy.

Our Achievements

The Government of India announced its Industrial Policy immediately after the adoption of the Report of the Economic Programme Committee by the A.I.C.C. The Government's Industrial Policy became one of a fluctuating character, first turning to the left with promises of nationalisation, profit-sharing, participation of workers in industry and industrial planning, and then to

the right by repeatedly limiting the scope of nationalisation, and then qualifying even what was left to be nationalised by concessions in taxation of higher incomes, and by an increasingly tolerant, perhaps helpless, attitude towards evaded profits.

Industrial Policy. Both Panditji and Sardar Patel are reported to have stated that the Government's Industrial Policy is one of middle course between capitalism and communism. But in steering a middle course, if there is no set purpose and a prior decision, there is just the danger of the middle course becoming a policy of drift owing to sectional pressures, which will satisfy neither the captains of industry, nor the investors, nor the industrial workers, nor the general public.

Programme of capital expenditure. On the top of this vacillating industrial policy, there was a programme of uncovered capital expenditure of Rs.267.5 crores between 1946-47 and 1949-50, which has hardly registered an increase in capital equipment of industry or agricultural productivity in the Provinces.

No economy in civil expenditure. The civil governmental expenditure which was in undivided and war-time India Rs.124.4 crores (1945-46) has now reached a total of Rs.165.2 crores. While recently Sardar Patel took a hand in reducing the civil budget, no consolidated statement has been made so far about the extent of economy.

Anti-inflationary measures. The Government's anti-inflationary measures constituted a somewhat hazy mass of inconsistencies and contradictions. It is doubtful if sky-high prices could be brought down by increasing production within a reasonable period—under the limiting factors without taking recourse to currency measures simultaneously (such as partial freezing of bank deposits and compulsory saving, demonetisation of notes of higher denominations).

Policy of foreign trade. The Government's vacillating policy in international trade—liberal in 1946-47, restricted in 1947-48, liberalised again in 1948-49 and now under complete restraint in 1949-50—is another instance of indecision or lack of decision. One does not know whether the large imports of machinery and capital equipment that have come to the country during the last three years have been installed.

While prices have remained sky-high, black-market and corruption are as rampant as ever before.

To the tiller. Soon after we came to power in the Provinces, the Government declared their intention of abolishing zamindari. In an accompanying note, the exact position of the zamindari bills is stated Province-wise. A glance at the note will convince you of the protracted character of our efforts in this direction. Nowhere has zamindari been abolished. The Agrarian Reforms Committee, after a careful and thorough-going enquiry, submitted its report so that abolition of zamindari would not mean replacement of the zamindar by the Government tahsildar. The Report was referred to the Provincial Government for their reactions on the 17th September. But I regret to say that except the Government of Orissa, no Provincial Government has yet sent its reactions.

After independence, the burden, instead of being lessened, has increased. Government enquiries have revealed a fall in the real income of an average labourer, an average peasant, and an average middle-class family. But had the burden increased equally for everybody, there might have been some sense of equality of sacrifice.

Gandhian Programme

We are talking of a middle course between capitalism and communism and yet, at the last Jaipur session, in the *Message* to the country, we pledged ourselves thus: "It was the particular teaching of Gandhiji that service should be directed more specially for promoting unity and goodwill between all the people of India, abolishing class distinctions and those based on birth, caste or religion and working *for a classless democratic society in a peaceful manner*." People naturally expect that, in the light of the message, we should chalk out a clear-cut policy of attaining a classless society in Gandhian manner.

People believed that after independence power would be used directly for building a Gandhian social order. And, therefore, when they find a complete reversal of the gear, they are bewildered. And it is not their fault if they fail to understand this policy of middle course which they interpret as a surrender to the capitalists. In building up a Gandhian social order we shall have to bear in mind that Gandhiji's method was not to have a thing done by a few at the top, but in thousands and thousands of villages, by the common folk. That was the strength of the Gandhian movement.

Our Economic Programme must, therefore, harness the energy of the common man in the villages. Both in the formulation of the programme as well as in the execution we must keep that in view. And, therefore, we must have a new cadre for creating mass enthusiasm.

PART II

An Immediate Programme

1. *A planned economy and a Planning Commission.* The first thing to be done is to appoint a statutory Planning Commission under the overall control of the Cabinet, for it will make the Government take every step in relation to the final shape of life and society.

It is often said that in the absence of sufficient funds in the state exchequer and technical personnel, no useful purpose would be served by the appointment of a Planning Commission. Planning will not depend on money, if it is not going to be a paper plan. It will be in terms of real resources. The tasks of the Planning Commission will be:

- (i) to explore the magnitude of our resources and to determine the limitations

- of our plans due to the quantity and quality of our resources,
- (ii) to co-ordinate our productive efforts and putting the resources to the best possible advantage on a priority basis, and
 - (iii) to integrate the controls so that they may be purposive.

Choice of personnel. In the appointment of the Planning Commission, we must choose men who have faith in our ideology and have served in its cause. For planning is essentially political. Expert knowledge, statistical data and factual information only strengthen the hands of the planners.

A new cadre. The execution of the plan which presupposes mass enthusiasm and mass support will depend on a new cadre which will be able to give direction to the thought of the masses, make them articulate so that the voice of the people can reach the Government. Under the supervision and direction of people who have worked for villages and have dedicated their lives to the cause of the rural masses, men and women of proper mental make-up should be trained and placed in the *Panchayats, Cooperative Joint Farms, Multi-Purpose Cooperatives and Industrial Cooperatives, which would be the four pillars of our Planning Commission. Our new cadre must infiltrate the whole country, two in every village, so that infiltration of destructive forces may be checked.*

Training of the new cadre. I should suggest that the training of the cadre be placed under a permanent Committee of tried and experienced political and constructive workers. I feel that in the working out of the socio-economic development there should be complete collaboration and cooperation between the Government and the Congress organisation and constructive workers both at the top and at the bottom. Let the Government and the Party and the constructive workers work as a single unit in the formulation of the policy and in the execution of the policy at a pace which is vital.

2. *Austerity.* The first objective should be to remove, to lessen, the gap between the fortunate few and the unfortunate masses. I think nothing more would restore people's confidence to the effort of the Government and to the appeal of the Congress organisation than to establish a range of incomes which would not jar public conscience. It is often stressed that our problem is of production and not of distribution and by putting a ceiling on large incomes we have little to go round. But a man is as much determined by what he gets as by what others get. Besides, the imposition of a ceiling will testify to our earnestness of eliminating glaring disparities. *So the range of incomes in our country should be from 1 to 20 and the ceiling should be applicable to all income groups and should be attained through taxation.*

3. Planning of production should centre on agriculture and industries allied to agriculture.

Agrarian economy. I have referred to the protracted efforts for abolition of zamindari. *I feel that a target date should be fixed for completing the work of abolition of zamindari.* The snag lies in payment of compensation. I do not know if the question of compensation should be viewed from a new standpoint and a

directive be given to all the Provincial Governments. It is often said that the zamindars should be rehabilitated. The state has not accepted the obligation of providing reasonable employment to every citizen. Mills have closed. What have we done to rehabilitate the unemployed workers? People expect parity of treatment and the expectation is only just. Even if we accept rehabilitation allowance, let the estates be taken over in all the Provinces by a certain date and inverted annuities with a floor and a ceiling be paid out of the collections. Zamindari abolition by itself will not increase production, *but the fact that Congress has kept its plighted word will go a great way in the formation of psychological capital which has been frittered away.*

Agrarian Reforms Committee's Report. The Agrarian Reforms Committee's Report has chalked out a comprehensive programme for post-abolition reforms. I know all of them cannot be introduced right now. But some of them should be introduced unless zamindari abolition is not going to prove barren of any perceptible improvement in agricultural efficiency and the living standard of the kisan.

Agrarian programme. All future subletting should be prohibited and security of tenure and fair rent for the great body of sub-tenants should be immediately provided. Demonstration of self-sufficiency cultivation should be arranged on small cultivators' farms. For very small holdings, let there be small cooperative joint farms under the guidance of the new cadre which I have referred to earlier. Let Panchayats take over all the common assets in land for management. Let there be distribution of more functional and controlled credit through cooperatives under proper guidance so that the help reaches the real tiller. Let there be cooperative distribution of the articles which the peasant wants for his livelihood and cultivation so that the prices paid for procurement of grains may be remunerative and let there be a declaration on behalf of the Government that agricultural prices would not fall below a certain level. To remove pressure on land, let there be planned development of agro-industries, through industrial cooperatives. These industries should form an integral part of our permanent economy. For the stimulation of the growth of these cooperatives, joint farms and industrial cooperatives, there should be a policy of state aid, publicity and propaganda.

There should be top priority in the allocation of resources of the Government for land reclamation. The new land which will come under the plough should be reserved for collective and joint farms. For the initial period, mechanised cultivation should be helpful in yielding greater surplus for the purpose of Government procurement. Under this arrangement the developmental cost in these newly reclaimed areas will also be reduced. When the farms are properly developed, they may be settled to farmers who will carry on cultivation with improved 'bullock and plough' technique. Agricultural research should be brought down from the high pedestal and should be so organised as to be helpful to the man behind the plough on his small holding. The bureaucratic delay and procrastination which is the bane of 'Grow More Food Campaign' should be

short-circuited.

4. *Industry and labour.* No replacement of capital should be allowed in large-scale consumption goods industries. There should be an immediate enquiry into the economic character of the concerns in this sector of our economy. Those concerns which are uneconomic should be banned and the production should be reserved for decentralised village industries and all possible help in men and material as well as organisation should be given to these industries so that production in these industries may be as economic as under large-scale. Such processing industries as rice mills and vanaspati should be immediately banned. The consequent unemployment should be checked by stimulating paddy husking and dairying. Whatever is needed to prevent unemployment and to facilitate rehabilitation should be done by the Government.

Our energies should be concentrated on increasing the productive efficiency of our key industries which, when circumstances become favourable, should be nationalised on payment of a rehabilitation allowance on the basis of the ceiling income stated before. So long as they are not nationalised, they should be controlled in the interest of our ideal. The Managing Agency system should be removed.

The question of rationalisation, retrenchment, unemployment (both in industrial as well as agricultural sectors), minimum wages for industrial labour in sweated industries and landless labourers should be examined.

5. *Public finance, foreign capital and capital formation.* The Government's new attitude to private industry and private investors in India will not succeed in promoting capital accumulation in India by deliberately increasing the disposable income of the rich. I do not know how far the policy towards private foreign capital may be helpful to our economic development. Because, somehow or other this chance has been lost by our declaration of policies before as well as after independence. To go back now on the expectations roused by these statements, and to tell the country that taxation on higher incomes must be reduced in order to induce the rich to save more and invest more is not likely to be successful. Even if these concessions elicit the response, the quantitative significance of the savings thus stimulated is not likely to be important; whereas, being unregulated and not subject to Government priority of planning, the investment in different sectors of national activity in which these savings will flow are not likely to be of the type that would most speedily increase national productivity. Under the circumstances, there may not be any advantage to the nation through the Government's new policy towards industrialists and the investors, while its disadvantage in the shape of disappointment to the workers and peasants and consequent inclination to fight even more vigorously for their own sectional interests rather than for the general good is already becoming apparent.

We should mainly *rely on domestic savings for our capital formation and for getting such domestic savings we should not rely on the rich or promote inequalities*, but must bend our energies so that the savings of all sections may be

canalised.

Therefore, the declaration made by the Finance Ministry during the devaluation debate as well as in the last meeting of the Associated Chambers of Commerce that the level of direct taxation in this country is uneconomic, and should be reduced at the earliest opportunity, should be scrutinised. I do feel that the level of direct taxation is pretty high but as there is no case for stepping up, there is also no case for lowering the level. Let there be a definite policy of drawing out evaded profits. Let us try to *regionalise the formation and investment of capital. Let there be extension of compulsory savings to all sectors* and whatever is yielded by this drive for meeting the surplus should be placed under strict priority allocation by the Planning Commission.

5. *Black-marketing and corruption.* Last but not least, black-marketing and corruption should be rooted out by such drastic steps as declaring them *subversive acts*. The Communist China's first reform has been suppression of the anti-social element of hoarders, black-marketeers and corrupt officials. Public confidence in the government can never be stimulated unless we can successfully tackle this problem.

34. *A note by Shankarrao Deo on abolition of zamindari*

Bihar. In Bihar the Zamindari Abolition Bill, empowering the Provincial Government to acquire the rights of proprietors and tenure-holders in their estates and tenures respectively by notification from time to time, was passed by both the Houses of the Provincial Legislature in June 1948 and became an Act on 6th July 1949, on receiving the assent of the Governor-General. It being difficult for the Provincial Government to find the necessary cash to pay as compensation to the dispossessed intermediaries, all at the same time, and it was one of the reasons which caused the delay of about a year in securing the assent of the Governor-General to the Bill, the Bihar Government introduced another legislation: the Bihar State Management of Estates and Tenures Act, 1949 (Bihar Act XXI of 1949), to enable it to take over the management of all zamindaris and thus end the tenant-landlord relation pending their final abolition through the payment of compensation in accordance with the provisions of the Bihar Zamindari Abolition Bill.

Consequent upon the Bihar State Management of Estates and Tenures Act, the Governor of Bihar, in exercise of the powers conferred by Section 38 of the Act, published the rules under the Act in an Extraordinary Gazette on December 19, 1949. On 31st December, 1949, however, an Extraordinary Gazette of the Bihar Government published the text of a new two-clause Bill called the Bihar Abolition of Zamindaris Repealing Bill, 1950. The Statement of Objects and Reasons of the Bill says: "As the Provincial Government have decided to present

a complete picture not only of Zamindari Abolition but also of how they would like to proceed with Land Reforms for which there is urgent necessity, they have decided *to repeal the Bihar Abolition of Zamindaris Act, 1948.*"

The Bihar Land Reforms Bill, 1949, has since been published. The Statement of Objects and Reasons of the proposed Bill, after referring to the prevalent opinion in the Province that previous abolition legislations did not go far enough towards land reforms, says: "There is a pressing demand to the effect that the collection of rents should be entrusted to the Cooperative Societies and *Gram Panchayats* as far as administratively practicable and also that *there should be a body composed of officials and non-officials to advise Government on matters connected with land reforms.*" Further on, the statement, referring to the difficulties in finding cash for the payment of compensation, says: "*It is, therefore, necessary to provide for the payment of compensation either in cash or in bonds; or partly in cash and partly in bonds.*"

Madras. The Government of Madras have enacted three pieces of legislation, namely, the Prohibition of Alienation Act, the Reduction of Rent Act, and the Abolition of Estates and Conversion into Ryotwari Act. The object of all these Acts is to liquidate zamindaris and inam estates in the Province. The Madras Abolition Act was the first to receive the assent of the Governor-General. It is proposed to take over all the estates before the end of 1950. By the end of 1949, all the important big estates were notified and many were taken over by the Government. Managers were and are being appointed to run these estates under the direct control and supervision of the district collectors. The total amount of compensation involved for both inams and zamindaris as and when abolished will come to Rs.17.5 crores and the Madras Government have the requisite resources to meet this expense.

Last week the Madras Assembly passed a Bill enabling the Government *to pay in advance 50% compensation to zamindars under the Abolition Act.* The Bill which amends the Estates (Abolition and Conversion into Ryotwari) Act, 1948, also makes it incumbent on the Government to pay a minimum aggregate compensation of Rs.12½ crores for the acquisition of the 2,800 zamindari estates in the Province.

The payment of advance compensation has been decided upon in view of the fact that the survey and settlement of the estates to be acquired is expected to take some years.

The United Provinces. The Government of the United Provinces appointed the Zamindari Abolition Committee towards the end of 1946 to go into the question of Zamindari Abolition and to suggest a new scheme of land tenure to replace the zamindari system. The Committee submitted its Report towards the end of 1948. In the middle of 1949 the U.P. Government introduced in the Provincial Assembly the United Provinces Zamindari Abolition and Land Reforms Bill. The provisions of this Bill are in many respects quite different from the recommendations of the Zamindari Abolition Committee Report. The Bill was subsequently referred to a Select Committee and the Report of the Select

Committee on the Bill was placed before the U.P. Assembly when it met for a brief one-week session in the second week of January 1950.

The abolition plan of the U.P. Government requires nearly Rs.137 crores for the payment of compensation. To meet this huge amount the Government created a Zamindari Abolition Fund and contributed Rs.1 crore towards the same. And in October 1949 the U.P. Government launched the Zamindari Abolition Fund Drive with the object of collecting from the tenants ten times the rent in exchange of which they were to get *Bhumidhari* rights. The drive was to last for 3 months, that is, up to December 1949, and the target fixed was the huge amount of Rs.160 crores. The collections, however, till the end of December 1949, were rather disappointing. Total collections which amounted to Rs.5 crores in the first week of December now stands at about Rs.12 crores. The drive is still on but it is obvious that it has lost much of its momentum and it is surmised that even after the next harvest the total collections would be nowhere near the target fixed. The U.P. Government will have therefore to take recourse to some other device in order to abolish the zamindari system in the Province.

In a signed statement the Socialist leaders, Acharya Narendra Deva and Dr. Lohia, have taken a very critical view of the manner in which the Zamindari Abolition Funds are being collected.

Assam. The Assam State Acquisition of Zamindaris Bill, 1948, was passed by the Assam Legislature in March 1949 and now awaits the assent of the Governor-General. The Bill provides for the abolition of zamindaris by acquisition of rights of proprietors and tenure-holders, in land and other interests, in the permanently settled areas and certain other estates in the districts of Goalpara, Garo Hills and Cachar. The compensation to be paid, in lieu of the acquisition of lands, varies from ten to three times the net income according to the income groups provided in the Bill which range from Rs.5,000 or below to Rs.1,00,000 or more.

West Bengal. The Land and Land Revenue Department of the Government of West Bengal submitted a memorandum on the question of the abolition of the Permanent Settlement to the Cabinet in 1948. Subsequently the Secretary of the Agriculture and Irrigation Department of the West Bengal Government submitted a note on the above memorandum. This note recommended the state acquisition of all existing rights, titles and interests of private parties in land and a fresh settlement of the acquired land in large blocks of suitable sizes with the residents of those blocks for the productive utilisation of the land on a joint and cooperative basis. The Government of West Bengal, however, has hitherto not taken any serious step towards the abolition of intermediate interests and may be said to be behind all other Provincial Governments in this respect. A Bill for abolition of some intermediary rights in the Sundarbans area has been introduced but progress with regard to even this measure has been slow.

C.P. and Berar. The C.P. Assembly passed a resolution as early as September 1946 recommending the abolition of all intermediaries between the State and the tiller. The Central Provinces and Berar Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Bill, 1949, was, however, introduced in the

Provincial Assembly in September last year. The Bill has still to be passed by the Provincial Legislature before any step towards abolition of intermediary rights is taken.

Orissa. The Orissa Government appointed the Orissa Land Revenue and Land Tenure Committee in 1946 to go into the question of zamindari abolition and land reforms. The Committee's Report was submitted after 3 years, towards the end of 1949. On the basis of this Report the Government of Orissa has published, on the first of January 1950, the Orissa Estates Abolition Bill, 1950. The Bill seeks to provide for the abolition of all rights, title and interest, by whatever name known, and to make provision for other matters connected therewith.

Bombay. Bombay being a ryotwari Province, the problem of zamindari abolition does not exist there in the form as in Bihar or U.P. Nevertheless the ryoti patta holders at various places became like absentee landlords living on unearned incomes. The Provincial Government therefore passed since 1946 various legislations to control the tenancies, offer protection to the actual tillers and regulate the transfer and cultivation of agricultural holdings in the Province. Khot and similar other intermediary tenures in certain areas have also been abolished.

East Punjab. East Punjab is essentially a Province of peasant proprietors and is generally free from the form of landlordism with its confusing variety of rights and sub-rights of intermediaries which we find in Bengal and Bihar. Nevertheless concentration of land has taken place at various places on the one hand and the evil of fragmented and uneconomic holdings is prevalent on the other. The Provincial Government has appointed a Committee which is studying the question and is shortly to submit its recommendations.

The States and the States Unions

Patiala and East Punjab States Union. In PEPSU the Government promulgated an Ordinance in August 1949 which sought to end the long-standing dispute between the tenants and the Biswadars. It laid down that the land held in occupancy rights should be distributed as follows:

1. In the case of occupancy rights (under section 5 of the Tenancy Act) one-third to the landlord and two-thirds to the tenant.
2. In the case of occupancy rights (under sections 6 and 8 of the Tenancy Act) two-fifths to the landlord and three-fifths to the tenant.

The lands so apportioned was to be held in full ownership by the landlords and tenants respectively.

The Government have further decided to allocate only one-fourth of the share of the landlord and three-fourths to the tenant, who would also have the right to purchase the one-fourth share of the landlord. The assessment of the value of

land is not to be made by the landlord but by a high power committee which has been set up for the purpose. This right of purchase has not been extended to the landlord. Seven per cent of the total area of the Union will be affected by this order.

Rajasthan and Madhya Bharat. The problem of the abolition of intermediaries is more complicated in these States Unions than in the Provinces due to the fact that the system of Jagirdari and other vested interests in land varies from State to State which have now been merged together. The absence of any land records further complicates the situation. On the joint request of the Governments of both these Unions the Government of India appointed a Committee in 1949 to go into the question of the abolition of intermediaries and submit its recommendations. The terms of reference of this Committee were quite comprehensive. The Committee toured both Madhya Bharat and Rajasthan, examined a number of witnesses representing various interests and finally submitted its Report at the end of last year. The Report is now under the consideration of the Governments concerned.

Hyderabad. Soon after the 'Police Action', the Hyderabad Administration was faced with the agrarian problem. The age-old oppression of Jagirdars on the one hand and the Communist excesses in some districts of the State with regard to questions of redistribution of land, on the other, had complicated the situation. In some cases the Military Government allowed the land already distributed to be retained with its new owners. In others, land was restored to the previous owners but grants of money, implements and grain were made to distressed peasants. Further, the Nizam's *Sarf-e-Khas*, covering an area of over 10,000 sq. miles and yielding an annual revenue of Rs.3 crores, was taken over. The Government also took up the administration of many other large hereditary estates, and although still enjoying revenues, they have been deprived of their feudal powers of exploitation and oppression.

Besides these immediate steps, a Committee was appointed to report on the agrarian reforms. The Committee is to submit its Report shortly.

Kashmir. The oppressive Jagirdari system has been abolished. The Government have also stopped *muafis* (land revenue assignments) except in the case of temples, mosques and gurudwaras. The system of cash assignments in favour of certain favoured individuals has also been put an end to. By an amendment in the Tenancy Act, the Government gave protection to the tenants against interference in cultivation. Another amendment changes the present arrangement of crop-sharing between the landlords and the tenants on fifty-fifty basis to 25 and 75. Fixity of tenure and fairness of rent has also been provided.

Further, a Committee has been appointed to enquire into the equity of agricultural loans and to suggest measures to scale down the burden of indebtedness.

United States of Travancore and Cochin. Before the merger of these States, the Government of Cochin had appointed a Committee to go into the question of

agrarian reforms and this Committee submitted a comprehensive Report. After the union, the new Government has appointed another Committee which will submit its proposals shortly, keeping in view the ground covered by the Cochin Report.

35. *A note by Shankarrao Deo on Congress organisation*

When the constitution of the Congress was being drafted, we could not accept Gandhiji's idea of dissolving the Congress as a parliamentary party and turning it into a Lok Sevak Sangh. We, however, accepted the idea of turning the Congress into a workers' organisation. In the new constitution there is provision for effective and qualified members who alone can participate in election of office-bearers and executives.

The complexion of the Congress will be determined by the objective to be attained. If our objective is to end status quo and recast the economic life, the Congress cannot remain a medley of interests. It is an admitted fact that in course of the last few years, one after the other, different ideological groups have left the Congress. Whatever may be their status in the country we are poorer by the loss of strength. The Constructive Workers, i.e., the Gandhites, are also critical of the Government's policy and find it difficult to cooperate either with the Congress government or the Congress organisation. At the advent of independence when Congress is in charge of the government, the opportunist element has naturally entered into the Congress fold. There has been the operation of Gresham's law in the Congress organisation. Another striking point is that the youth of the country does not lean towards the Congress. A party which fails to draw young blood cannot have any future. Is it possible to make the Congress an instrument of non-violent socio-economic revolution and a focus of aspiration and energy of the youth? It can be so only if it is not burdened with vested interests—the landlord, the merchant and the capitalist or their friends and allies.

Machinery for purging bogus members. To establish a new social order through peaceful methods, the provision was made for effective and qualified members. Those who have no other work but the work of the nation should be the controlling element in the Congress. But because of continuous extension of dates of enrolment of such effective members, I am afraid, an opportunity has been given for enrolling such people who do not fulfil the test of qualified and effective membership. It is published that in a particular area so many lakhs of primary members or so many thousands of effective and qualified members have been enrolled. I would not wonder if this Congress organisation is going to collapse by its very weight. I suggest that there should be pruning of this overgrowth of bogus members. I suggest that the Working Committee should set up a machinery which will check enrolment of effective and qualified members. If necessary, there should be a thorough-going purge. We must not hesitate if we

mean business. Unless some such step is taken, this ever-increasing group politics and party bundi which is rampant in almost every Province can never be eradicated.

I should also suggest that the policy of open door to all sorts of elements should be abandoned. And the entry of new elements should be strictly regulated through the vigorous application of the test of policy and programme.

Training a new cadre and finance. In my note on the Economic Policy I have suggested that the effective and qualified members should be trained in this phase of our revolution. We will have to depend more on these effective and qualified members. They will be our spokesmen. So they must know what we stand for and how we are progressing towards Swaraj. Those who can think and act on their initiative should be the strength of the Congress organisation. Therefore these people should be made *whole-timers*. Regular arrangements should be made for their training. In my note on Economic Policy I have suggested that the frontier between the Government and the Party and the Constructive Workers should be kept fluid at the top and at the bottom.

The supreme task today is to regenerate national character and to raise the moral level of the people. Such a task can never be accomplished by any government. Only a non-official organisation like Congress can do it.

Funds for day-to-day Congress work should be raised on the basis of mass subscription and no section should be allowed an opportunity to dominate the organisation through its contribution. There should also be provision for special levies upon Congressmen and [Congress] women for specific purposes such as training, election, and other items requiring capital expenditure.

Congress and Government. The relationship between the Congress organisation and the Government has never been defined satisfactorily. As we embarked on our new career only three years ago, it is only natural that such relationship could not be defined with any precision. Conventions spring up in course of years. And what cannot be specifically determined at a particular point of time takes shape after work over a period of time. One thing which I want to note under this head is that the relationship which subsists in a country where the main task of the Government is to keep an even tenor and to introduce by stages reforms in the social, political and economic life, is bound to be different from what would subsist between the Government and the Party in a country where the task is to create a socio-economic revolution. I would not be very much wrong if I say that the party—I do not mean the Legislature Party alone, but the great body which sustains the Government through enlistment of public cooperation—should have more intimate collaboration with the Governments and should have the decisive say in the matter of policy formulation.

After the formulation of the policy that part of the organisation which is in charge of the Government should leave no stone unturned to implement the policy. But if, due to insurmountable difficulties, modification or change in the policy becomes necessary, then it must come back to the mother organisation for its consent. This alone can keep the prestige of the organisation and promote

confidence and faith of the people in it. Unfortunately things have been done in a different way.

After the adoption of the Economic Programme Committee's Report by the A.I.C.C., Panditji himself, while explaining the Government of India's Industrial Policy in Parliament, observed on February 17th, 1948: "The A.I.C.C. was not an executive body. It would lay down the general policy naturally leaving it to the House to time it as it thought expedient to give certain priorities and go ahead with it at a pace which may be considered right and proper." The result has been that the Statement of Policy as embodied in the Economic Programme Committee's Report has been whittled down beyond recognition by unilateral declaration of the Ministers from time to time, the last one being that of Dr. Matthai's in the Central Advisory Council of Industries, that the objective of the Government was not to recast society. Such an attitude towards the organisation is very much detrimental to its prestige. Today there is a genuine feeling that what the Congress decides is for public consumption and will hardly have any effect on the decision of the Government. So when the Congressman goes to the public, he is regarded as a talkative intruder.

The net result has been not only the lowering of the Congress organisation in the eyes of the public but the government have also suffered, because the word of their greatest support, namely, the Congress, carries no weight with the common man.

36. *A note by Kala Venkata Rao on the working of the Congress constitution*

The present constitution was adopted in April 1948 by the A.I.C.C. and was afterwards approved, as amended, by the plenary session of the Indian National Congress held in December 1948 at Jaipur. The constitution provides for primary members, qualified members and effective members. Every adult can become a primary member by subscribing to Article I of the Congress constitution. Over two crores of primary members have been enlisted this year. Still the P.C.C.s of U.P., Tamilnadu, and Madhya Bharat (partly) have not yet sent their total figures. With those figures added it is likely that the total membership will come to about 3 crores. Under Clause 4 (c) one can enrol himself as a qualified member. According to the information received till now lakhs of qualified members have been enrolled. The last date for the enlistment of effective members is not yet over. But, from the information received almost every qualified member is enrolling himself as an effective member. From the reports it is also seen that this enlistment is being done on a competitive scale by the different and differing Congress groups in a number of Provinces. This is particularly true of certain Provinces like West Bengal, Vidarbha, East Punjab and Andhra. This kind of enrolment is a fraud upon the Congress constitution. In order to meet the criticism that there was bogus enrolment of the four-anna members before and

that rich people and enterprising people used it as a vehicle to plump for undesirable candidates in Congress elections, the new provisions have been adopted. But now the new provisions are being abused. Two reasons can be thought of for this state of affairs. One is the existence of keen personal differences among certain Congressmen. The second is the attempt to capture the Congress machinery by spending money as before and enlist qualified and effective members because every effective member will be a voter for the election of the delegates to the Indian National Congress. The rush is all the greater this year because the new P.C.C.s will have a direct hand in the selection of Congress candidates to the legislatures in the forthcoming general elections. It needs hardly be said that not even ten per cent of those who have enrolled themselves as qualified and effective members will ever satisfy the conditions prescribed for qualified and effective members in the constitution. Reports are to hand that in the case of Guntur district in Andhra the total number of qualified and effective members enrolled is over three lakhs or even more and that in West Godavari district in the same Province the number is near 1½ lakhs. Apart from such fraudulent enrolment a lot of administrative bad blood has been created between the P.C.C. and the D.C.C.s concerned. The A.I.C.C. office is being flooded with telegrams and letters making allegations and counter-allegations. The race seems to be to outnumber each other's enrolment by getting at the total figures of the other group and try to make up the deficit on each side by continuing enrolment secretly even after the prescribed date. A separate note on the enrolment muddle in certain Andhra districts is being appended to this note.* The only check to such enrolment now provided for in the constitution is through the credentials committees. The credentials committees have to be elected by a three-fourths majority by the P.C.C.s. The constitution provides for the district credentials committees also. But experience has shown that these committees have become the instruments of the groups now in power in certain Provinces. The same is the case with certain election tribunals. The result has been that there are constant bickerings among Congressmen about the decisions given by such credentials committees and election tribunals. In some Provinces credentials committees have not yet been appointed. I can quote the example of West Bengal P.C.C. who in their letter dated 10.1.50 have said that they could not finish the appointments of the district credentials committees and have requested the A.I.C.C. office to readjust the dates for the election programme. Now that there is such huge, fraudulent enrolment of qualified and effective members the question is being raised and really grave doubts are being expressed that some of these credentials committees are likely to shove out the qualified or effective members enrolled by a particular group not represented in the credentials committee and retain only the other people who are on the register in the same fraudulent way. The Working Committee has now to make definite rules to

- (i) thoroughly check and, if possible, obliterate the fraudulent enrolment:
- (ii) to rectify the group-minded decisions of certain credentials committees.

The Congress constitution does not provide for a definite election machinery to conduct the elections for electing the delegates or members of other Congress committees. At present the executives of the P.C.C.s are in virtual charge of such elections. That worked all right till now but with the keen differences existing among Congressmen in certain Provinces that machinery will not work satisfactorily. In Bengal it will be particularly difficult. Even now many complaints are pouring into the A.I.C.C. office about the appointment of election officers for conducting even Panchayat elections. In Bengal many of the D.C.C.s and the P.C.C. are at loggerheads and representatives of both have come to the A.I.C.C. four or five times. A working formula was agreed to but evidently it is not working satisfactorily. According to the formula agreed upon the sub-divisional Congress committees have been entrusted with the work of receiving the membership lists. They have to suggest a panel of names from which the election officer has to be selected by the P.C.C. Complaints have already come that the P.C.C. reconstituted four D.C.C.s (ad hoc), that it altered the list of office-bearers of sub-divisional Congress committees, and lastly that the P.C.C. is not choosing the election officers from the panel of names suggested by the sub-divisional Congress committees. There are a number of other complaints which are detailed in a separate note.*

Complaints regarding improper enrolment, non-receiving of lists, non-publication of lists, etc., are being received from Vidarbha, Andhra, East Punjab, etc.

There must be fair elections. The tribunals can come into the picture only after the elections are completed. If at the stage of elections, nominations were rejected indiscriminately, or, if the ballot were not properly held, the persons concerned will not get any remedy in time or at least before the elections to the executives of the new Congress bodies will be held. Any justice secured through the tribunals in individual cases cannot alter the situation later. The Governmental machinery now in vogue provides for control by the Provincial Governments against the vagaries of the local returning officers. The new constitution burdens the President of the Republic with the duty of controlling the general elections. So the Congress Working Committee must undertake the duty of seeing that fair elections are held by framing proper rules and, if it comes to that, by taking over control in certain Provinces.

Apart from these organisational difficulties, I am sorry to state that many Congress committees are not doing regular propaganda work in the villages or towns. The enthusiasm of the old days is absolutely absent and the contact which is very valuable and necessary for our existence as an organisation and which ought to subsist between our committees and the public is very much absent. This will certainly tell much upon our future stature and also on our usefulness as an institution of public service. Many Congressmen want to get into the Legislatures and in order to get a fair chance that way, they try to capture the Congress machinery or keep it on for themselves. In order to meet this situation and in order to make our organisation a live body and as near perfect as possible,

some long-term and some short-term measures will have to be taken by the Working Committee. They are suggested below:

- I. Organisation
 - (a) Points for amendment of the constitution.
 - (b) Directions for the present.
 - (c) Funds.
- II. Parliamentary work.
- III. Allied bodies.

I. Organisation

A. (1) The electors for the Congress committees will have to be

- (a) all the primary members for the village Panchayat;
- (b) all the Panches elected by the Primary members should be the electors to elect the delegates, D.C.C.s or other subordinate committees;
- (c) the candidates for the village Panchayats should be qualified members;
- (d) for every other Congress committee the candidates should be effective members;
- (e) effective members as such should not be voters unless they come under clauses 1 and 2 above.

These provisions in the constitution will remove the present competitive spirit for fraudulent enrolment of qualified and effective members and at the same time provide for adult suffrage at one end and on the other end for restricted qualification to get elected to any of the Congress committees.

(2) The Provincial Credentials Committees and the Provincial Tribunals will have to be appointed by the Congress Working Committee out of panels suggested by the P.C.C.s or otherwise.

(3) There should be an all-India body of five members appointed by the Working Committee, who should be the watch and ward for conducting Congress elections. They should have the power when they deem it necessary to appoint a provincial election officer to conduct elections in such Provinces where there are serious disputes and in such of those Provinces wherefrom at least not less than one-third of the total number of P.C.C. members ask for such appointment, in writing.

(4) For reasons stated under major heading 2 below it is further suggested that between the primary panchayat and the D.C.C. there should be a Congress committee for each Provincial Legislative Assembly constituency. The Tehsil and Thana Congress committees can be dispensed with in the rural areas.

All the four suggestions above would require the amendment of the constitution and as such can be suggested to the A.I.C.C. and the next session of the Congress.

B. In view of the extraordinary situation now prevailing in certain Provinces fraudulent enrolment, group activities in Congress ranks, etc., I would suggest the following measures for the consideration of the Working Committee immediately:

1. A Committee of five may be appointed by the Working Committee.
2. This Committee may be empowered to supervise the work of the Provincial Credentials Committees and the conduct of elections in Provinces wherever the Committee deems it necessary. This may be done particularly in those Provinces where the decisions of the credentials committees are not unanimous. In Provinces where not less than one-third of the total number of the P.C.C. members ask for it, control over the conduct of the elections of delegates etc. may be undertaken.

C. After the abolition of the primary membership fee the finances of the Congress committees have materially suffered. Therefore, some of the P.C.C.s, particularly U.P. and Punjab, have suggested that the four-anna fee for primary membership may be restored.

Except for the windfall, particularly in Andhra, due to huge fraudulent enrolment of qualified members, even the fees collected from the qualified members do not compare favourably with the income that was coming annually from the four-anna membership. In Andhra the result has been that instead of certain persons paying four annas per member they have been made to pay at the rate of a rupee for a qualified member now enrolled.

The Working Committee has to consider and decide upon the ways and means to replenish the depleted Congress funds.

As far as the A.I.C.C. office is concerned the total budget for the current year comes to Rs.2,50,000. Of this the stable receipts realisable are the delegate fees, A.I.C.C. membership fees, and the provincial quotas. The total due comes to Rs.85,000. Of this the arrears are many and P.C.C.s every time plead lack of funds and do not pay even the quota. The arrears due in the current year can be seen from the enclosed statement.* They come to Rs.85,000. The balance of the budget has to be met from donations. As against a budget provision of Rs. 1,79,000 from donations hardly Rs.17,000 has been collected. It must be finally stated that nowadays purses are not being presented to the Congress President or the Secretaries in any appreciable way. The services of the Hon'ble Prime Minister or the Hon. Dy. Prime Minister whose word can net in large funds are not available for the purpose for apparent reasons. The A.I.C.C. office is living from hand to mouth. It requires Rs.20,000 per month and more money will be needed in the coming year as general elections are approaching. Apart from the current funds, the A.I.C.C. has to pay liabilities to the extent of Rs.70,000. It is hard to collect the sums due to the A.I.C.C. in time, while our status requires that we have to meet our obligations. The A.I.C.C. is publishing three magazines: the *Congress Bulletin*, the *Indian Affairs* and the cyclostyled *Economic Bulletin*. The *Congress Bulletin* is now regularly published with a better get-up. The

Indian Affairs is nearly self-sufficient, if the establishment charges are not calculated. The *Economic Bulletin* is popular and is being extensively quoted in the Press. The *Second Year of Freedom* is under print and will meet its cost of production. The *Agrarian Committee Report* is also being printed and would cost Rs.6,000. The publication of certain booklets had to be held up for want of funds. The cost of printing is very heavy in Delhi. Much of the printing work is being done in Madras at roughly 50% of the Delhi rates and that with better get-up. The A.I.C.C. gets a large number of newspapers, magazines and journals, mainly free and partly paid. Some important journals are not subscribed to for want of funds. The A.I.C.C. library, depleted during the 1942 movement, is not being improved for the same reason. An appeal for the donation of books to all the Book Publishers did not get good response. At least Rs.10,000 is needed to improve the library. The labour section, the volunteer section, etc., need ample funds.

The financial position is rather bad. It is hard to pay the monthly salaries and bills. So the Working Committee has to decide upon ways and means to meet this financial crisis.

I would suggest the following measures:

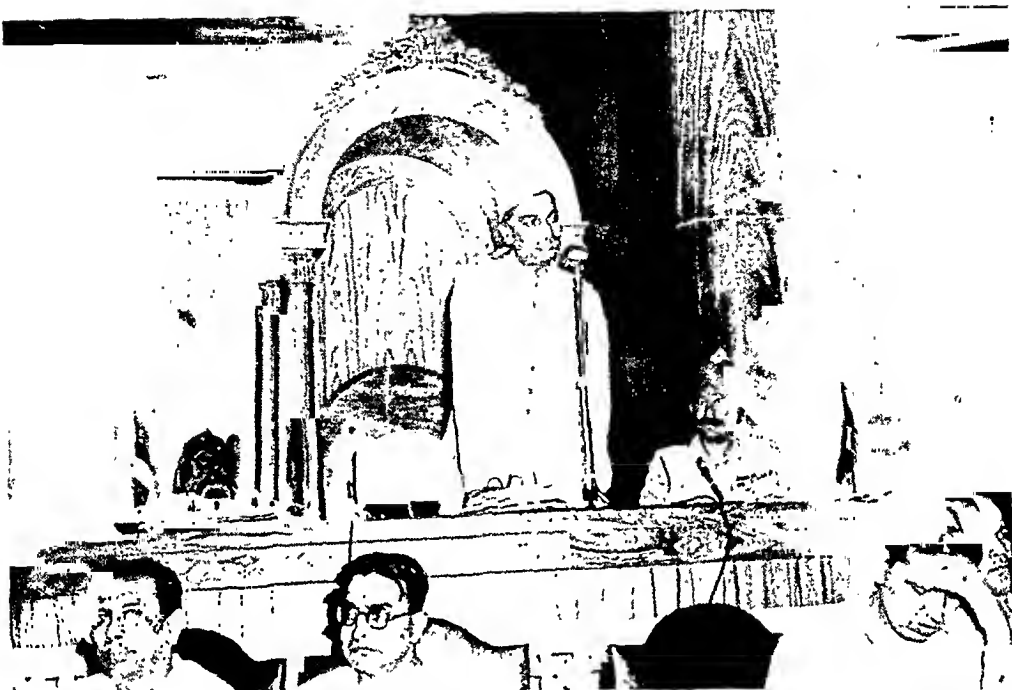
1. Countrywide appeal for funds.
2. General Secretaries may be deputed to visit all Provinces and at least some cities to collect earmarked funds for the A.I.C.C.

II. *Parliamentary Work*

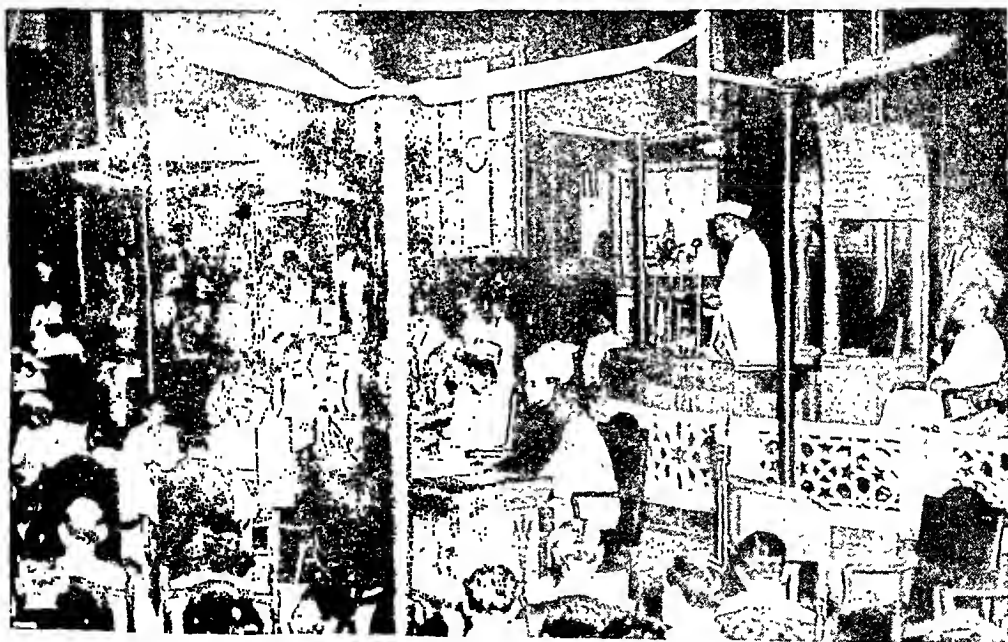
The Congress party has big majorities in the Indian Parliament and in all the Provincial and State Legislatures. It can be stated without fear of contradiction that almost every Congress Government has undertaken, and in some cases has even completed, good social and economic legislation. But due to the economic position and scarcities in food, cloth and housing accommodation, there is an element of dissatisfaction among the masses. This dissatisfaction has become apparent, due to factions among Congressmen and some of them trying to throw open challenges to the Congress administrations, lack of Congress propaganda and publicity, and consequent loss of mass contact. Rival political groups indulging in irresponsible criticism taking advantage of the financial situation and the controls and some of them resorting to subversive activities and violence, and lastly due to the fact that there is no published monograph detailing Congress ideology and its parliamentary programme in precise terms so that the Congress workers may propagate them among the masses.

One accepted way to test popular opinion is from the results of by-election to the legislatures.

The Congress candidates secured sweeping majorities in 1945 when the Congress contested the elections to the Central Legislative Assembly and in 1946 when it contested the General Elections to the Provincial Legislatures. After 1947



Dr. Rajendra Prasad addressing the last sitting of the Constituent Assembly



Dr. Rajendra Prasad addressing the Constituent Assembly, after being elected the Provisional



Dr. Rajendra Prasad with the Mountbattens

the Congress could win a large number of by-elections that have taken place since then. In Bombay, in Orissa and in Bengal we lost some by-elections. Three of them were for general seats. These losses have been more than counterbalanced by sweeping victories in U.P., Bihar, Madras, Orissa, East Punjab and other Provinces. In Madras and Bihar elections were held to the District Boards and the Congress captured a large majority of the seats in all the District Boards. It has to be noted however that in the Madras Presidency a good many Congress candidates in the District Board elections could win with rather narrow majorities. Success was due to the general popularity of the Congress but it was also to be attributed to the lack of organisation among the other political parties who opposed the Congress. While other political parties like the Socialists and the Communists were swept off the board, a remarkable feature was the success of a number of independent candidates. One real reason for the partial weakness of the Congress as is seen from the small majorities secured by the Congress is attributable to group rivalries among Congressmen. There was sabotage by Congressmen against Congressmen in certain localities. From this short review it can be seen that the Congress is still carrying the day though not with the full sweep that it enjoyed a few years ago.

We have a number of rival political parties in the country. They are the Socialists, the Communists, the Bose group, the Hindu Mahasabha, and a few other splinter groups. As a party the Communists are the best organised and their party members display excellent organisational spirit, party cohesion, and stern discipline. Their weakness lies in the fact that their methods and programme have not appealed to the masses in our country, particularly the middle classes. Their advocacy of violent activities have alienated them from public sympathy. The stern measures undertaken by the state against that party have driven the party partly underground and partly into jails. There is very little chance of a major election fight with them in the next few years.

Socialists have no country-wide organisation. They have some little strength in a few urban areas. The fact that many of the Socialist leaders have been Congressmen till recently gives them some weight in the eyes of the public. But they cannot be a serious rival to the Congress for the present. By our achievements we can take the wind out of their sails.

The Bose group as such has no popular appeal in the country except for a nuisance value in Bengal.

A communal organisation like the Hindu Mahasabha cannot be expected to gain strength in future and the Muslim League will die a natural death along with the introduction of the joint electorates.

POLITICAL PARTIES AND THEIR ORGANISATION

In every community there are broad differences of public opinion and even of public interest. People holding similar views and opinions join together and try to state the principles for which they stand and also will try to create an effective

organisation to carry them into practical action. "This work involves a wide variety of functions, such as the formation of political platforms, the nomination and election of candidates, control over legislature, vigilant attention to public opinion, and control of the governing power in the last resort. To carry out these activities and to rally to them widespread support, interest, activity and enthusiasm is the ideal purpose of the political party." The methods applied to activate these things vary from country to country and from party to party. The Indian National Congress has to trim its organisation to its new role of running parliamentary activity. While it cannot and need not cut itself off from its present ideas and moorings a certain amount of reorientation is absolutely necessary. Before suggesting the ways for such reorientation a brief description of the organisation of the British Labour and Conservative Parties is given below:

The *Labour Party* consists of the Annual Party Conference, and the National Executive Committee to which are affiliated the trade unions constituency and central labour parties, and federations, socialist societies, representatives of the constituency organisations, ten regional councils, the London Labour Party and the Parliamentary Labour Party. The constituency organisations include divisional labour parties, trade unions, local labour party in the county, women's section, professional societies, socialist societies, ward associations, parliamentary borough and the League of Youth.

Constituency parties in each parliamentary area are the focal point of political propaganda work in the divisions. Normally they function through a small executive committee drawn from and acting for a larger general committee which is composed of representatives of the various units, individual members, women's sections, League of Youth, trade union councils, trade unions, cooperative branches, etc. The constituency appoints the agent, confirms the selection of individuals, fights local authority elections, nominates parliamentary candidates, designates delegates to the annual conference, and deals with the headquarters.

The affiliation fee of the National Party is now 6d. per member per year. The local constituencies are free to fix their subscription rates. Sums are raised in the course of the year from concerts, whist drives, bazars, sale of literature and collections at meetings. It is the women members that take a leading share in this work. They do most of the canvassing and partake in the numerous social events.

There is a National Insurance Fund to which the constituency party subscribes and gets the right of a substantial grant should they be involved in a by-election. This arrangement provides the backward and poor constituencies the wherewithal to face a by-election. There is another fund to which the constituency parties subscribe at the rate of £5 per year which entitles them in return to get the candidate's election deposit of £150 which, if forfeited, need not be refunded. The National Party pools from all sources £2 lakhs a year.

The Party has a central office at Transport House and ten regional offices. At Transport House, there is a general section; sections specialising in research on international questions and publicity in all its forms, including preparation and

issue of leaflets and pamphlets, posters and periodicals. There is an up-to-date reference library. Among its activities it runs correspondence courses in organisation and method, electoral law, holds examinations to test the proficiency of those taking them and awards certificates. Most of those who thus qualify become party agents, constituencies being encouraged to employ them. The National Conference to which the Parliamentary Party and the National Executive report on the happenings of the previous 12 months declares the policy and programme of the Labour Party. The National Executive Committee is directly elected by the various committees and upon it falls the duty of interpreting and implementing the decisions.

M.P.s attend the Conference ex-officio but cannot vote unless they carry the authority to represent the affiliated organisations. The leader of the party is always a member of the Conference and the National Executive Committee.

Conservative Party. The constitution of the Conservative Party symbolises the Tory ideal of leadership by consent. The leader is elected by and removable by a body consisting of the Parliamentary Party, the adopted candidates and the Executive Committee of the National Union of Constituency Associations. Once elected, and so long as he retains the confidence of the electing body, the leader is responsible for the policy of the party; he appoints the chairman of the party and through him the principal officers of the central office. Whilst, therefore, the leader is ultimately responsible to the Constituency Associations, he himself directly controls the central office and with it the Research Department and the other policy-forming committees, the dissemination of the party literature and the party purse.

The Constituency Associations are grouped into twelve areas in England and Wales and there are separate organisations for Scotland and Ulster, but the pith and strength is in the individual Constituency Association itself. Every subscriber (minimum subscription is settled by each association individually and ranges from 1s. upwards) has the right to vote for the election of officers for his ward or polling district committee and for the election of officers of his Constituency Association and the selection of a candidate. Members are gained by house-to-house canvassing, by public meetings, by social events, and by the distribution of party literature (five times as great in 1947 as in 1946). New members have been recruited in large numbers; by the spring of 1948 over a million had already subscribed, and a campaign to get a second million was successfully concluded during the summer. All members are true volunteers who join as individuals, whereas in the case of the Socialist Party the bulk of the membership comes from trade-unionists, who have not contracted out of the Party and the individual membership of the Socialist Party (608,000 in 1947) actually decreased by 37,000 in the year. More energy than ever before is being shown by Conservatives and the cause is everywhere preached from the mountains of Wales to the East End of London.

As well as gaining members a Constituency Association must collect money, send representatives to the Annual Party Conference and if there is no sitting

member, select a candidate. The objective in constituency finance is that an association shall be self-supporting both as regards current expenses and for the purpose of fighting an election. Not only has this objective been attained in the majority of constituencies but large sums were subscribed by Constituency Associations to Lord Woolton's £1,000,000 fighting fund. Attendance at the Party Conference is twice as high as before the war and the proceedings have never been conducted with greater vigour and political knowledge.

Constituencies are jealous of their rights in selecting candidates and as they are mostly independent financially they are in a strong position to resent any attempt at dictation by the central office. It is open to the Socialist Party managers to select the by-election candidate they think most suitable. They can weigh the relative appeal of a baronet or the younger son of a peer for a suburban seat; but any attempt by the Conservative central office to set aside the candidate selected by the local association would be more than likely to fail. No candidate is permitted to subscribe to his association more than £100 a year and half his election expenses. More than half the selected candidates pay either fees less than the maximum or nothing at all. Candidates are drawn from many walks of life (a solvent association has a free choice) and one half of those adopted received their education through the Secondary School system. Few constituencies have not adopted candidates and there is a long waiting list.

The Young Conservative Movement—which all Conservatives between 15 and 30 years of age can join—has made great strides; in 1948 there were in the United Kingdom about 200 branches and nearly 150,000 members. The Movement is not simply out for education and social amusement (though both these aspects are important); it is for use. Young Conservatives are represented on all the Constituency Executive Committees, at the Party Conference and the Central Policy and Education Committee of the party, and they have made their voices heard. They have given help by speaking and canvassing at by-elections and local government elections; a number of Young Conservatives have won seats at council elections and a number will be candidates at the coming General Election. The Movement represents an avenue of political advancement for an able young man or woman.

The two-party system is prominent in England and America and the multiparty system as well as the single-party system—Nazi or Communist—are prominent on the European continent. It is too early to conjecture whether there will be two or more parties in India. But having chosen the British parliamentary system of government we have to build on the system of the British parties. Next we have to consider about the relationship that has to exist between the Congress parties in the legislatures and the Government and then about the relationship between the Governments and the Congress organisation. The former one is a well-known thing. The party elects the leader and the leader forms the Government. The leader continues to run the Government and it is very rare that a leader is changed in between the full run of the term of the legislature. In India, there are instances to the contrary. Madras, East Punjab, Bengal, Madhya Bharat, Travancore have

changed party leaders in the middle of the full term of the legislature. The Working Committee has recently decided that leaders of the Congress legislature parties should be elected for the full term. Of course they can be asked to quit when the majority in the party expresses want of confidence. But this must not be made easy in future. There are also complaints that the legislators seek to put undue pressure on the ministers of Government for patronage for permits, licences, etc. This is unfortunate and to the extent that it is true it should be suppressed. Another important point is that certain legislators are prone to speak lightly about their own Governments and deliver speeches in the legislature as if they were members of the Opposition. This lack of discipline must be brought under full control. Matters of conscience and differences of opinion about any particular legislation must not give freedom to any party member to disobey the party whip. Recently I heard a member say in our Parliament, "I have no confidence in these gentlemen (ministers)." Then it will be time for the member to quit the party or for the ministers to quit the treasury benches if the majority of the party members agree with that member. Differences must be ironed out in the party forum only. The member of a party should only influence decisions on policy from within. Administration is not his job. If he has to criticise even the administration he must approach the leader or finally his party for redress but not speak as he likes in the Assembly. Otherwise the party would collapse. These well-known principles must be told to individual members and lapses must be punished. The Central Parliamentary Board will have to take a strong hand in this and other matters.

There are four important things for a party organisation to do:

1. It selects public issues and presents them to the electorate.
2. It selects candidates for the legislatures.
3. It provides a system of collective and continuing responsibility by animating political action by Government.
4. It organises publicity on behalf of the Government, and cultivates public opinion in its favour.

The relation between the Provincial Congress Committees and the subordinate Congress committees in some Provinces are far from satisfactory. In some they are good. A formula has to be evolved in precise terms so that there can be frequent consultation between both the wings of the Congress. Else, if both become watertight compartments, group rivalries will get at the top and strained relations will undermine the Congress prestige itself. With this idea before us, let us see how the above points can be worked out in our organisation.

Point I. In England both the Labour and the Conservative Parties draft election manifestoes and publish them far ahead of a General Election for public criticism. At a later stage they are finalised. If we have a similar arrangement it will place a lot of material in the hands of our workers. This year the Labour Party in England has already published *Labour Believes in Britain* and Conservatives

have published *The Right Road for Britain*. So I would suggest the immediate drafting of similar manifestoes. The manifesto can be finalised after six months. In England there is a slogan, "Socialism in our time". We can also have something similar to carry our work forward.

Point II. Article 27 of the Congress constitution, Clauses (b) and (c) quoted below, are relevant here:

- (b) A Central Election Committee shall be set up consisting of members of the Parliamentary Board and five other members elected by the A.I.C.C. for the purpose of (1) conducting election campaigns, and (2) making final selection of candidates for the Provincial and Central Legislatures.
- (c) Provincial Election Committees shall be elected by the general meeting of the respective P.C.C.s. They shall recommend candidates for Central and Provincial Legislatures. The final selection, after hearing objections and appeals, shall be made by the Central Election Committee.

I think that this arrangement will not succeed next time. The main reason for my opinion is that this mode of selection has no reference to the constituency which will have to elect the member. Nor does it provide for any kind of consultation with the Government of the Province. Further, in those Provinces where the P.C.C.s and the Governments are in disagreement it will be fatal to the Congress success in elections. We had a sorry experience in Bengal. We miserably lost in South Calcutta. The same is the experience in other Provinces where District Congress Committees and the P.C.C.s differ. It will have to be noted that the future Legislative Assembly constituency in a Province will consist of a relatively small area and so the views of the local people, their factions, the popularity of the particular candidate proposed for selection, will certainly determine the result of the election. It will be easy for the Congress to win a seat covering a large unit but it will be comparatively difficult to win a ward seat. Even a national leader may be defeated owing to local prejudices against a particular policy or programme. He can none the less sweep the polls if the constituency is a big unit. In addition to these factors, the Provincial Election Committees should not be allowed to be group-dominated as that will mean the elimination of deserving persons. Though appeals against the recommendation of the Provincial Election Committees are provided for, it will be hard for the All India Election Committee to alter many of the recommendations. Considering all these aspects, I feel that the machinery is to be so altered as to provide for some sort of primary consultation with the Congress elements in the constituencies. I would suggest the following procedure:

1. There should be a Congress Committee covering the area of a Provincial Legislative Assembly constituency. Leadership must be developed in that area by arranging social functions etc. as the local labour organisations do in England. They should be encouraged to have a local fund.

2. Whenever there is an election, all the Panches elected by the village committees in the constituency area must meet together and suggest the names of three candidates who are desirable and stand the chance of an election.
3. The D.C.C. must furnish all information regarding each candidate and forward the same with a recommendation for one of them through the Provincial Election Committee for final selection by the All India Election Committee who will finally decide upon the candidate.
4. In the case of [election of candidates] to Parliament the D.C.C.s can suggest a panel and the P.C.C. Election Committee may make the recommendation.
5. The P.C.C. Election Board may be elected by the single transferable vote so as to secure representation for all points of view within the P.C.C.
6. The final selection should in any case be by the All India Election Board. In the case of the Provincial Assemblies, due weight may be given to the recommendations of the D.C.C.s and in the elections to Parliament due weight may be given to the recommendations of the P.C.C. Election Committees.

Point III. The focal point for this work must be the constituency committee which should be made to function as a live body.

Point IV. This should be the duty of the Provincial Congress Committee.

THE COMING GENERAL ELECTION

All going well, the general election is expected to come off early in 1951. It is hardly a year from now. The Working Committee may have to decide quickly about the organisation of the campaign as the work involved is stupendous. Funds for the campaign, election literature, plans for the campaign have to be got ready even from now. The Indian electorate will perhaps be the biggest for any single country in the world and till now we have not had the experience of handling such a large adult electorate. We must also note that the amount of voluntary aid in men and money we used to get may not be easily available for us for the next election. The following measures may be considered:

1. Formation of constituency committees as suggested elsewhere.
2. The Government of India may be requested to depute an official and a non-official to study the methods of the election campaign now going on in England. This experience will be very valuable in the future.
3. Publication of a draft manifesto.
4. Efficient parliamentary section in the A.I.C.C. office to collate information and to get together well-written pamphlets, slogans, posters, etc.
5. Propaganda tours.

6. Creation of earmarked funds for election purposes.

Kala Venkata Rao
General Secretary

*Not included.

37. *A note on the preparation of the Hindi version of the Constitution of India*

The Irish Constitution is framed in two languages, namely, Irish and English. This can well serve as a model for having our Constitution in Hindi and English. In case of conflict between the Irish and English texts of the Constitution, the text in the Irish language, which is the national language, prevails. This is contained in article 25, section 4, sub-section 6, of the Irish Constitution. We may, however, have to modify this in our case so that in case of conflict between the Hindi and the English texts the English text shall prevail for a period of, say, 10 years. We should also have a provision enabling the Parliament to amend the Hindi text from time to time in order to rectify any defects discovered hereafter in the translation. In a period of ten years the language of the Hindi text will be stabilised and it should then be possible to have the Hindi text alone as our Constitution.

Now as to the next question—what procedure should be followed to get ready the Hindi version of the Draft Constitution. Pandit Jawaharlalji suggests that the Hindi draft prepared by the Expert Committee be gone through by a Committee of the House and then be presented to the Constituent Assembly. The best way to achieve this would be:

- (i) A Committee of the House be appointed as soon as possible, consisting of about 15 members.
- (ii) The Expert Committee should immediately send its translation of the articles so far done by them and should go on sending every week the articles translated by them.
- (iii) The Committee of the House should scrutinise the translation and present it to the Constituent Assembly, say, every Monday, which may be reserved for consideration of the Hindi draft.
- (iv) The discussion in the House should be confined only to the accuracy of the translation.

This method will effect economy both in time and money. If the House should wait for the Hindi version till the entire English draft has been passed, it would mean an additional full Session which would be very costly. Besides, the members would have become too tired by their prolonged labour with the

English draft and many of them might absent themselves. Some may even think that the Hindi draft would be unnecessary and a mere official translation might do. The passage of Hindi draft may thus be jeopardised. It would be unbecoming to our national self-respect that we have our Constitution in a foreign language only, without one in our own language.

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